



MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

Board of County Commissioners

*Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, FL 33128*

Tuesday, October 7, 2008
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Scott Rappleye, Commission Reporter, (305)375-5108



FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

Members Present: Bruno Barreiro; Jose "Pepe" Diaz; Audrey M. Edmonson; Carlos A. Gimenez; Sally A. Heyman; Barbara J. Jordan; Joe A. Martinez; Dennis C. Moss; Dorrin Rolle; Natacha Seijas; Katy Sorenson; Rebeca Sosa; Javier D. Souto

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY

Report: *Scott Rappleye, Commission Reporter, (305)375-5108*

1A MOMENT OF SILENCE

Report: *Chairman Barreiro called the meeting to order at 9:54 a.m. The Commission convened in a moment of silence followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: County Manager George Burgess, Assistant County Manager Ysela Llort; County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams, Assistant County Attorneys Oren Rosenthal, David Murray, Terrence Smith, and Dennis Kerbel; and Deputy Clerks Kay Sullivan, Diane Collins, and Scott Rappleye.*

1D REPORTS OF OFFICIAL BOARDS

1D1

082390 Report

**SUNSET REVIEW OF COUNTY BOARDS FOR 2008 - PUBLIC
HEALTH TRUST**

***Accepted
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas***

9/11/2008 Report Received by the Health and Public Safety Committee

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1E1

082823

Citizen's Presentation

Bruno A. Barreiro

GWEN JOHNSON ON BEHALF OF SECTION 8 HOUSING
LANDLORD ASSOCIATION REGARDING PAYMENT ISSUES

Presented

Report: *Ms. Gwen Johnson, President, Section 8 Housing Landlord Association, appeared before the County Commission and requested the following practices be implemented:*

- *That the Association meet monthly with Miami-Dade Housing Agency (MDHA) staff, United States Department of Housing and Urban Development (HUD) representatives, and County Administrative staff;*
- *That the County provide the Association with effective and efficient customer service;*
- *That the County provide the Association with quick and efficient response to its concerns and issues;*
- *That two of the Association's Board members sit on the selection committee for the privatization of the Section 8 Housing program;*
- *That the County provide the Association with the ratings of the ingoing and outgoing agencies that administered the Section 8 program; and*
- *That the Association be apprised when the privatization of Section 8 would start.*

She noted the Association had tried to resolve issues on communication between landlords and employees, on nonpayment and back payment, and on inspections.

Ms. Amanda Lopez, Director, Section 8 Housing Landlord Association, appeared before the Commission and noted the Section 8 Housing landlords were the backbone of the Section 8 Housing program. She emphasized the Association's request that two of the Association Board members sit on the selection committee for the privatization of the Section 8 Housing program.

It was moved by Commissioner Jordan that one member of the Section 8 Housing Landlord Association and one Section 8 Housing tenant sit on the selection committee for the privatization of the Section 8 Housing program. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Sorenson, Souto, and Seijas were absent).

1E2

082824 Citizen's Presentation**Bruno A. Barreiro**

REV. DR. HAROLD A VIEUX, CHAIRMAN OF THE
COMMUNITY RELATIONS BOARD REGARDING ISSUES IN
THE COMMUNITY

Presented

Report: *Rev. Harold Vieux, Chairman, Community Relations Board, appeared before the County Commission and expressed appreciation for the Commission's effort to provide assistance to the Caribbean nations as they recovered from recent hurricanes. He noted Haitian immigrants were denied Temporary Protection Status (TPS) that would allow them to stay in the United States of America and work here. He asked the Commission to encourage the federal government to grant TPS to Haitian immigrants. Rev. Vieux expressed concern regarding the distribution of the film "Obsession" to County residents through the mail, the Miami Herald, and the El Nuevo Herald. He expressed concern regarding the impact of this film on discrimination and violence against Muslims in South Florida. He asked the County Commission to vigilantly oppose messages of hate in the community. Rev. Vieux noted the Community Relations Board had issued a statement entitled "HATE MESSAGES HAVE NO PLACE IN OUR COMMUNITY" to community leaders and to the media, which encouraged preventing acts of hatred and discrimination.*

1E3

082825 Citizen's Presentation**Carlos A. Gimenez**

DR. NILDA PERAGALLO, DEAN OF THE UNIVERSITY OF
MIAMI SCHOOL OF NURSING REGARDING THE SCHOOLS
ACCOMPLISHMENTS

Presented

Report: *Dr. Nilda Peragallo, School of Nursing Dean, University of Miami, noted this year (2008) was the 60th anniversary of nursing education at the University of Miami. She provided a brief history of nursing education at the University. She expressed appreciation for the County Commission's support.*

Commissioner Gimenez expressed appreciation to Chairman Barreiro for issuing a proclamation to the University of Miami School of Nursing and Health Services. He noted he presented this proclamation to the School before this County Commission meeting.

1F MOTION TO SET THE AGENDA AND "PULL LIST"

Report: County Attorney Robert Cuevas advised that Commissioner Edmonson had asked that she be listed as a co-sponsor on Agenda Item 11A19 and that Commissioner Sorenson had asked that Agenda Item 11A13 be deferred. He pointed out that the County Manager's memorandum entitled "Changes for the October 7, 2008 BCC meeting" requested that Agenda Item 8F1B be withdrawn, that Agenda Item 8F1E be deferred, and that Agenda Item 5C be deferred to November 20, 2008. He advised the Commission that County Manager George Burgess requested that Agenda Item 8L1D be deferred to allow the County to readvertise the item.

Commissioners Jordan, Moss, Heyman, and Diaz asked that they be listed as co-sponsors on Agenda Item 11A45 SUBSTITUTE.

Commissioner Sorenson asked that she be listed as a co-sponsor on Agenda Item 7K.

Commissioner Gimenez asked that Agenda Item 8P1C be deferred until after the Summit Meeting regarding the Miami-Dade Transit Agency.

Commissioner Sosa asked the County Manager to meet with her to discuss the property in Agenda Item 8F1B before another proposal was made for it.

Commissioner Sorenson requested Ms. Rachel Baum, Director, Finance Department, provide an oral presentation on her report regarding economic impacts on County finances.

It was moved by Commissioner Sosa that the Commission approve the foregoing changes to the October 7, 2008, Board of County Commissioners meeting Agenda with the changes listed in the County Manager's memorandum, and the additional changes requested by the County Attorney and the commissioners. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed by a vote of 11-0 (Commissioners Seijas and Souto were absent).

1G OFFICE OF COMMISSION AUDITOR**1H OFFICE OF INTERGOVERNMENTAL AFFAIRS****1I SPECIAL PRESENTATIONS**

111

082879 Special Presentation**Bruno A. Barreiro**SPECIAL PRESENTATION FROM SARAH JACOBSON
REGARDING THE AMERICAN HEART ASSOCIATION***Presented***

Report: *Mr. Paul Hernandez, Jr., American Heart Association, appeared before the Commission and explained that he was born with a general heart defect and he had had four heart surgeries since birth. He noted each surgery was like a rebirth and they made him stronger, wiser, and humbler. He spoke in support of the American Heart Association and its work in the community.*

Ms. Sarah Jacobson, American Heart Association, appeared before the Commission and expressed appreciation to Commissioner Souto for providing the American Heart Association the use of Tropical Park for its Heart Walk. She invited the commissioners to participate in the Heart Walk on October 11, 2008. She encouraged the commissioners to invite the communities in their districts to participate in the Heart Walk.

Commissioner Jordan noted, for the record, that Mr. Vivian Thomas, an African-American, was the assistant who helped develop the procedure for the blue baby syndrome at John Hopkins University Hospital. She explained she was proud to know Mr. Hernandez who benefited from the work of Mr. Thomas.

Commissioner Souto noted he had survived heart disease. He encouraged his colleagues to be involved in the hospitals that did heart surgery. He noted, for the record, that a Cuban-Chinese doctor, who was a County resident when he died, was one of the first doctors to put a catheter into the human heart.

Commissioner Sosa spoke on the personal growth of Mr. Hernandez and others as a result of the adversity they had faced and how they were now in a position to help others.

Commissioner Diaz allocated \$5,000 from the Commission District 12 Discretionary Reserve Funds to the American Heart Association in the name of Mr. Paul Hernandez, Jr.

2 MAYORAL ISSUES**2A MAYORAL VETOES****2B MAYORAL REPORTS**

2B1

082901 Report**Mayor**

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

Approved***Mover: Rebeca Sosa******Second: Jose "Pepe" Diaz******Vote: 11- 0******Absent: Souto, Seijas*****3 CONSENT ITEMS**

4 ORDINANCES FOR FIRST READING

4A

082197

Ordinance

Natasha Seijas,
 Carlos A. Gimenez,
 Jose "Pepe" Diaz,
 Sally A. Heyman,
 Rebeca Sosa,
 Barbara J. Jordan,
 Dennis C. Moss,
 Audrey M. Edmonson

ORDINANCE AMENDING SECTIONS 19-4, 19-4.2, 19-4.4, 19-4.6, 19-4.7, 19-5, 19-13, 19-14, 17A-9 AND 17A-13, OF THE CODE OF MIAMI-DADE COUNTY; AND CREATING SECTIONS 17A-18, 17A-19 AND 17A-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ALL TO DEFINE ANY PERSON WHO FILES A LIS PENDENS AND/OR ACTION FOR FORECLOSURE UPON A MORTGAGED PROPERTY; TO BE RESPONSIBLE FOR COMPLIANCE WITH CHAPTERS 19 AND 17A RELATING TO THE MAINTENANCE OF IMPROVED AND UNIMPROVED RESIDENTIAL PROPERTY IN MIAMI-DADE COUNTY; PROVIDING FOR THE REGISTRATION OF ALL SINGLE FAMILY DWELLING UNITS THAT ARE THE SUBJECT OF A MORTGAGE FORECLOSURE ACTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: November 10, 2008

Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 13- 0

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 10, 2008, Governmental Operation and Environment Committee at 9:30 a.m.*

4B

082615

Ordinance

Rebeca Sosa

ORDINANCE RELATING TO ANNEXATION PROCEDURES; REQUIRING THAT AN ANALYSIS OF EXISTING AND PROJECTED PROPERTY TAXES FOR THE PROPOSED ANNEXED AREA BE INCLUDED IN THE MAILED NOTICE OF ANNEXATION PUBLIC HEARING; PROVIDING IN MAILED NOTICE, DISCLOSURE OF EXISTING MUNICIPAL TYPE SERVICES; AMENDING SECTIONS 20-6 AND 20-7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: December 9, 2008

Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 13- 0

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the December 9, 2008, Governmental Operation and Environment Committee at 9:30 a.m.*

9/22/2008 *Requires Municipal Notification by the Board of County Commissioners to the Governmental Operations and Environment Committee*

FINAL OFFICIAL

4C

082620

Ordinance

Natacha Seijas

ORDINANCE AMENDING SECTION 2-8.2.11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO CONTRACT AUTHORITY FOR SPECIFIC WATER AND SEWER PROJECTS; PROVIDING EXCEPTION TO RATIFICATION REQUIREMENT FOR CERTAIN ACTIONS BY MAYOR OR HIS DESIGNEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 10, 2008*

*Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 13- 0*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 10, 2008, Governmental Operation and Environment Committee at 9:30 a.m.*

4D

082678

Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TWIN LAKES SHORES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: November 18, 2008*

*Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 13- 0*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 18, 2008, Board of County Commission at 9:30 a.m.*

4E

082680

Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TOWN AND COUNTRY PROFESSIONAL CENTER STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: November 18, 2008*

*Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 13- 0*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 18, 2008, Board of County Commission at 9:30 a.m.*

FINAL OFFICIAL

4F

082610 Ordinance

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT ("DKUCD"), AMENDING SECTIONS 33-284.56 THROUGH 33-284.63, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted on first reading
Public Hearing: November 10, 2008
Mover: Carlos A. Gimenez
Seconder: Sally A. Heyman
Vote: 12- 1
No: Sorenson*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 10, 2008, Governmental Operation and Environment Committee at 9:30 a.m.*

4G

082768 Ordinance Barbara J. Jordan

ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PROVIDING THAT THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) SHALL SUBMIT A RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS (BCC) PRIOR TO THE BCC AWARDED ANY CONTRACT FUNDED IN WHOLE OR IN PART BY CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 12, 2008
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 13- 0*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 12, 2008, Transit Committee at 2:00 p.m.*

4H

082198 Ordinance Natacha Seijas, Barbara J. Jordan

ORDINANCE AMENDING SECTION 33-8 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REQUIRING CERTIFICATE OF USE FOR SINGLE FAMILY RESIDENCES, CONDOMINIUM UNITS, TOWNHOUSES AND DUPLEXES, ACQUIRED THROUGH CERTIFICATE OF TITLE, REQUIRING CERTIFICATION OF COMPLIANCE WITH APPLICABLE BUILDING CODES AND ZONING CODES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 10, 2008
Mover: Natacha Seijas
Seconder: Jose "Pepe" Diaz
Vote: 9- 4
No: Jordan, Barreiro, Sosa, Sorenson*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 10, 2008, Governmental Operation and Environment Committee at 9:30 a.m.*

4|

082797

Ordinance

Barbara J. Jordan

ORDINANCE AMENDING SECTION 2-56.33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE FOR PAYMENT OF ACCUMULATED SICK AND ANNUAL LEAVE UPON A SHOWING OF GOOD CAUSE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: November 10, 2008*

Mover: Barbara J. Jordan

Seconder: Bruno A. Barreiro

Vote: 7- 6

*No: Heyman, Sosa, Gimenez,
Souto, Martinez, Diaz*

Report: *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the November 10, 2008, Budget and Finance Committee at 2:00 p.m.*

5**PUBLIC HEARINGS (Scheduled for 9:30 a.m.)**

5A

082327

Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS EUREKA COVE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

Adopted

Ordinance 08-110

Mover: Dorrin D. Rolle

Seconder: Rebeca Sosa

Vote: 13- 0

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other questions or comments, the Commission proceeded to vote.

9/2/2008 *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

9/2/2008 *Adopted on first reading by the Board of County Commissioners*

5B

081599 Ordinance

ORDINANCE GRANTING PETITION OF SHOMA HOMES AT BELLAGIO, LLC, ("PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING BELLAGIO COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

Withdrawn

Mover: Rebeca Sosa

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

Report: During consideration of changes to today's agenda, the Board withdrew the foregoing proposed ordinance as requested by the County Manager in his memorandum of changes dated October 7, 2008.

6/3/2008 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

6/3/2008 Adopted on first reading by the Board of County Commissioners

7/1/2008 Deferred by the Board of County Commissioners

5C

081596 Ordinance

ORDINANCE GRANTING PETITION OF SHOMA HOMES VILLAGE AT DORAL, INC., ("SHOMA HOMES VILLAGE" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING PARK SQUARE COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

Deferred to November 20, 2008

Mover: Rebeca Sosa

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

Report: During consideration of changes to today's agenda, the Board deferred the foregoing proposed ordinance as requested by the Public Works Department.

6/3/2008 Adopted on first reading by the Board of County Commissioners

6/3/2008 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners

7/1/2008 Deferred by the Board of County Commissioners

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

5D

082597

Resolution

Sally A. Heyman

RESOLUTION DESIGNATING AND NAMING THE MARINA
AT HAULOVER PARK AS THE BILL BIRD MARINA AT
HAULOVER PARK

Adopted

Resolution R-989-08

Mover: Sally A. Heyman

Seconder: Carlos A. Gimenez

Vote: 12- 1

No: Martinez

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other questions or comments, the Commission proceeded to vote.

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

5E

082337

Resolution

RESOLUTION GRANTING THE CLOSURE OF A RIGHT-OF-
WAY LOCATED IN THE CITY OF HIALEAH AND
EXTENDING FROM NW 107 AVENUE EAST FOR
APPROXIMATELY 1,320 FEET (RIGHT-OF-WAY CLOSING P-
864) (Public Works Department)

Adopted

Resolution R-990-08

Mover: Carlos A. Gimenez

Seconder: Jose "Pepe" Diaz

Vote: 12- 0

Absent: Sorenson

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

5F

082366 Resolution

RESOLUTION GRANTING PETITION TO CLOSE THE ALLEY
FROM NW 25 AVENUE TO NW 111 STREET (ROAD
CLOSING PETITION NO. P-862) (Public Works Department)

Adopted
Resolution R-991-08
Mover: Dorrin D. Rolle
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Sorenson

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Commissioner Rolle questioned the amount of the fee for the road closing in this proposed resolution.

Ms. Ester Calas, Director, Public Works Department, noted the fees were \$3,200.

Hearing no other questions or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

5G

082367 Resolution

RESOLUTION GRANTING PETITION TO CLOSE SW 75 STREET, FROM SW 74 AVENUE EAST FOR APPROXIMATELY 153 FEET (ROAD CLOSING PETITION NO. P-851) (Public Works Department)

Adopted**Resolution R-992-08****Mover: Carlos A. Gimenez****Seconder: Sally A. Heyman****Vote: 12- 0****Absent: Sorenson**

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened, and the following individuals appeared before the Commission:

Mr. Ryan Bayline, 201 S Biscayne Boulevard, noted the road was being closed through the efforts of the University Baptist Church, and he requested the Commission waive the approximately \$11,500 application fee since the University Baptist Church would use those monies on the neighborhood if the fee was waived.

Mr. Miguel Degrandy, resident in the area of this proposed street closing, appeared before the Commission and spoke in support of this proposed resolution.

The public hearing was closed after no other persons appeared in response to Chairman Barreiro's call for people wishing to be heard.

It was moved by Commissioner Gimenez that this proposed resolution be adopted as amended to waive the application fee provided these monies were used in the neighborhood.

Following further discussion, Commissioner Gimenez noted the County Commission would set a bad precedent to waive the application fee for this proposed resolution. He withdrew his motion to adopt this proposed resolution as amended, and moved that this proposed resolution be adopted as presented.

Hearing no other questions or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

5H

082665 Resolution

RESOLUTION RELATING TO AN APPLICATION BY THE FLORIDA POWER & LIGHT COMPANY FOR A CLASS I PERMIT TO PROVIDE COVER AND PROTECTION FOR A SUBMERGED 69-KV TRANSMISSION LINE BY PLACING A GEOTEXTILE FABRIC AND A 2-FOOT LAYER OF STONE OVER A 50-FOOT SECTION OF THE LINE LOCATED SOUTH OF FISHERMAN'S CHANNEL IN BISCAYNE BAY, MIAMI, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Adopted
Resolution R-993-08
Mover: Audrey M. Edmonson
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Sorenson*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

5I

082700 Resolution

RESOLUTION RELATING TO AN APPLICATION BY THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF RECREATION AND PARKS FOR A CLASS I PERMIT TO TRIM AND ALTER RED MANGROVES WHICH ARE PART OF A COASTAL BAND COMMUNITY TO PROVIDE SHORELINE ACCESS IN OLETA STATE PARK AT 3400 NE 163 STREET, NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Adopted
Resolution R-994-08
Mover: Audrey M. Edmonson
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Sorenson*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

FINAL OFFICIAL

5J

082679 Resolution

RESOLUTION APPROVING THE PLAT OF PALCE SUBDIVISION, LOCATED IN THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 55 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 104 STREET, ON THE EAST BY SW 117 AVENUE, ON THE SOUTH BY APPROXIMATELY SW 107 TERRACE, AND ON THE WEST BY APPROXIMATELY THE FLORIDA TURNPIKE) (Public Works Department)

*Adopted
Resolution R-995-08
Mover: Dorrin D. Rolle
Seconder: Barbara J. Jordan
Vote: 11- 0
Absent: Sorenson, Seijas*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

5K

082681 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF MIAMI-DADE COUNTY-GSA, D-22911, LOCATED IN THE NORTH 1/2 OF SECTION 25, TOWNSHIP 55 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 152 STREET, ON THE EAST BY APPROXIMATELY SW 119 AVENUE, ON THE SOUTH BY APPROXIMATELY SW 156 STREET, AND ON THE WEST BY SW 124 AVENUE) (Public Works Department)

*Adopted
Resolution R-996-08
Mover: Dorrin D. Rolle
Seconder: Barbara J. Jordan
Vote: 11- 0
Absent: Sorenson, Seijas*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

5L

082742

Resolution

Jose "Pepe" Diaz

RESOLUTION CO-DESIGNATING NW 107TH AVENUE FROM NW 58TH STREET TO NW 74TH STREET AS "JOSE LUIS RODRIGUEZ "EL PUMA" AVENUE"; URGING THE CITY OF DORAL TO JOIN MIAMI-DADE COUNTY IN THIS CO-DESIGNATION

*Adopted**Resolution R-997-08**Mover: Jose "Pepe" Diaz**Seconder: Carlos A. Gimenez**Vote: 10- 0**Absent: Sorenson, Martinez, Seijas*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

5M

082744

Resolution

Katy Sorenson

RESOLUTION CHANGING THE NAME OF THE MIAMI-DADE POLICE DEPARTMENT CUTLER RIDGE DISTRICT STATION TO THE SOUTH DISTRICT STATION

*Adopted**Resolution R-998-08**Mover: Katy Sorenson**Seconder: Jose "Pepe" Diaz**Vote: 13- 0*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

5N

082664

Resolution

RESOLUTION RELATING TO AN APPLICATION BY DORANDA, LLC, FOR A CLASS IV PERMIT TO IMPACT 16.94 ACRES OF WETLANDS TO CONSTRUCT A MIXED USE DEVELOPMENT ALONG THE NORTH SIDE OF NW 58 STREET AND ALONG THE WEST SIDE OF NW 104 AVENUE IN SECTION 17, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Adopted**Resolution R-999-08**Mover: Jose "Pepe" Diaz**Seconder: Rebeca Sosa**Vote: 13- 0*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

The public hearing was opened. It was closed after no one appeared in response to Chairman Barreiro's call for people wishing to be heard.

Hearing no other question or comments, the Commission proceeded to vote.

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS**7 ORDINANCES SET FOR SECOND READING**

7A

082599**Ordinance****Jose "Pepe" Diaz**

ORDINANCE RELATING TO CONE OF SILENCE AMENDING
SECTION 2-11.1(T) OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE
ORIGINAL ITEM UNDER FILE NO. 081258]

Amended

Report: See Report Under Agenda Item 7A AMENDED, Legislative File No.
083187.

9/9/2008 Forwarded to BCC without a recommendation from the Budget and Finance Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

7A AMENDED

083187

Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO CONE OF SILENCE AMENDING
SECTION 2-11.1(T) OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE
ORIGINAL ITEM UNDER FILE NO. 082599]

Adopted as amended

Ordinance 08-111

Mover: Jose "Pepe" Diaz

Seconder: Rebeca Sosa

Vote: 11- 2

No: Moss, Martinez

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Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Chairman Barreiro suggested this proposed ordinance be amended to lift the Cone of Silence on the County Commission in the provisions on when the Cone of Silence would apply in Section 2-11.1(t).1.(a) and Section 2-11.1(t).2.(a), as well as in the exceptions in Section 2-11.1(t).1.(c).

Commissioner Diaz noted he added an amendment regarding a time limit for the County Manager to make a recommendation on the selection committee's proposal.

Commissioner Sosa suggested this proposed ordinance be amended to delete any provision that would allow members of the selection committee to communicate openly. She expressed concern that communication by the selection committee would lead to scandals. She noted she could not support a change that would lift the Cone of Silence on commissioners. Commissioner Sosa suggested that the following language be deleted from the proposed amended language on handwritten page 5: "and any member of the selection committee therefor intended to influence the selection committee's recommendation."

Assistant County Attorney David Murray advised this proposed ordinance could be amended to address Commissioner Sosa's concerns by deleting the underlined language and resurrecting the stricken language on handwritten page 5.

Commissioner Sosa suggested this proposed ordinance be amended to add the following language regarding County staff communication: "While the Cone of Silence is in effect County staff shall create a written record of any oral communication with potential vendors, service providers, bidders, lobbyists, or consultants related to or regarding solicitations, bid proposal, or other competitive processes. The record shall indicate the date of such communication, the persons to whom staff communicated, and a general summation of the communication. This subsection applies to all communications made while the Cone of Silence is in effect for a particular solicitation." Commissioner Sosa emphasized the intent of her suggestion was to eliminate the selection committee members from outside communication to prevent anyone from manipulating the system.

In response to Commissioner Jordan's comments regarding the impact of this proposed ordinance on the Cone of Silence, Ms. Miriam Singer, Director, Department of Procurement Management (DPM), clarified this proposal would allow a selection committee member to communicate with a department director before the committee made its recommendation to the County Manager as long as the communication did not intend to influence the selection committee's recommendation.

Commissioner Jordan expressed concern regarding the subjectivity of the language "not intended to influence the selection committee's recommendation."

Responding to Commissioner Jordan's inquiry regarding a Commissioner communicating with County staff after the selection committee made its recommendation to the County Manager, Ms. Singer noted this proposed resolution would allow such communication.

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Commissioner Jordan clarified the Cone of Silence would still be in place on communication with anyone except for the County Commission with County staff until the County Manager made his recommendation.

In response to Commissioner Heyman's question regarding the impact of selection committee dialogue with County staff on the effectiveness of the procurement process, Ms. Singer noted this proposed ordinance should facilitate the procurement process. She pointed out that under the existing process the Procurement Management Department had to address questions by email or by scheduling Government-in-the-Sunshine meetings 2 business days in advance; this proposed ordinance would eliminate those barriers.

Commissioner Heyman expressed concern that a department director could be biased to a specific vendor and that the department director could use that bias to influence a Commissioner before the County Manager made his recommendation on a solicitation to the County Commission.

Responding to Commissioner Heyman, Commissioner Diaz noted this proposed ordinance required the County Manager to provide a written explanation of his recommendation, if it was different than the selection committee's recommendation.

Commissioner Heyman questioned whether the Commission could communicate directly with a department director or with only the County Manager.

Assistant County Attorney Murray advised this proposed ordinance would create an exception that would allow Commissioners to speak orally with department directors at briefings.

Discussion ensued between Commissioner Heyman and Commissioner Diaz regarding the issue of the County Commission communicating with department directors as opposed to the County Manager.

Assistant County Attorney Murray advised the issue of the County Commission communicating with department directors as opposed to the County Manager could be remedied by amending this proposed ordinance to change "department directors" to "the County Mayor or his designee" on handwritten page 7.

Responding to Commissioner Heyman's comments regarding the Procurement Management Department documenting communication, Ms. Singer noted the department could include a note in the project file every time communication was made regarding the contract.

Chairman Barreiro expressed concern that this proposed ordinance would take power away from the County Commission. He pointed out that county commissioners in other Florida counties sat on selection committees and they had input regarding the content of solicitations. He noted the State Prosecutor, the Federal Prosecutor, the Inspector General, and the Miami-Dade Police Public Corruption Unit could investigate a solicitation if someone did something wrong. Chairman Barreiro expressed concern that this proposed ordinance would not expedite the procurement process. He suggested the County Commission eliminate the complete Cone of Silence.

Commissioner Seijas noted she concurred with Chairman Barreiro's comments. She explained the County did not legislate behind the scenes. She

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stressed that the Commission was full of honest commissioners, and that the Commission could not legislate behavior.

Chairman Barreiro conducted a straw vote to completely eliminate the Cone of Silence, and upon being put to a vote, the Commission voted 5-7 on this issue (Commissioners Gimenez, Heyman, Moss, Souto, Sorenson, Edmonson, and Sosa voted "No"; Commissioner Martinez was absent)

First Assistant County Attorney Price-Williams advised the County Commission could not repeal the Cone of Silence; that action was outside the scope of this proposed ordinance.

Commissioner Martinez noted he would support the complete elimination of the Cone of Silence.

In response to Commissioner Gimenez's inquiry regarding the impact of the proposed added language at the end of Section 2-11.1(t).2(a), on handwritten page 8, Assistant County Attorney David Murray advised the impact of the cited language would be that staff members listed in the original specification would be permitted to communicate with outside firms and vendors without violating the Cone of Silence.

Commissioner Gimenez questioned whether the staff members listed in the specification would be on the selection committee.

Assistant County Attorney Murray advised this proposed ordinance did not have a provision that would preclude the staff members from sitting on the selection committee.

Ms. Singer clarified the communication allowed between staff and outside firms and vendors in Section 2-11.1(t).2(a) would be for follow up questions regarding scheduling, timing, responsibility, and responsiveness. She pointed out, traditionally, DPM staff did not serve on the selection committee, except as the non-voting chair responsible to carry out the selection committee process.

Responding to Commissioner Gimenez's question regarding the commissioners communicating with the County Mayor or Manager after the selection committee made its recommendation, Assistant County Attorney Murray advised the proposed amendment to change "department directors" to "the County Mayor or his designee" on handwritten page 7 would create an exception to the Cone of Silence for communication between commissioners and the Mayor or his designee or for communication at briefings.

In response to Commissioner Gimenez clarifying this proposed ordinance would prohibit commissioners from communication with the County Mayor or Manager that intended to influence the County Mayor or Manager's selection, Assistant County Attorney Murray advised that communication between the County Mayor or Manager and commissioners would be prohibited only after the selection committee made its recommendation to the County Mayor or Manager.

Commissioner Gimenez noted he opposed the methods of other Florida counties to have county commissioners sit on selection committees and have input regarding the content of solicitations. He explained the County Commission should be an objective body to the County Administration.

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Commissioner Gimenez suggested this proposed ordinance be amended to require the County Manager to provide the County Commission with a written explanation regarding his delay in making a recommendation on a procurement item if he had not provided the Commission with his recommendation 90 days after the selection committee made its recommendation to the County Manager.

Commissioner Sorenson noted she supported this proposed ordinance as presented.

In response to Commissioner Moss' request for clarification on the suggested amendments, Assistant County Attorney Murray provided an overview of the amendments in this proposed ordinance as presented. He noted the following additional amendments had been suggested during discussion of this proposal:

- To delete the underlined language and to resurrect the stricken language on handwritten page 5;
- To add a provision that any County staff having permissible communications with an outside entity or person while the Cone of Silence was in effect must make a record of that communication;
- To change "department directors" to "the County Mayor or his designee" on handwritten page 7;
- To require the County Manager to make a recommendation on a solicitation to the County Commission within 90 days after he received the selection committee's original recommendation, or to provide the County Commission with a report explaining what delayed him from providing a recommendation within 90 days; and
- To require that a memorandum detailing the reason(s) the County Manager's recommendation on a solicitation changed the recommendation of the selection committee.

Regarding the suggested amendment that any County staff having permissible communications with an outside entity or person while the Cone of Silence was in effect must make a record of that communication, Commissioner Moss questioned whether the document that would be generated to comply with this suggested amendment would be a public record.

Assistant County Attorney Murray advised that document would be a public record.

Responding to Commissioner Moss' concern regarding outside entities contacting him on a solicitation before the County Manager made his recommendation, Commissioner Diaz explained this proposed ordinance would only allow communication to provide clarification between commissioners and County staff, and outside entities should not contact commissioners until after the County Manager made his recommendation.

Commissioner Jordan pointed out the County Manager approved each solicitation twice; the first approval was to approve the selection committee recommendation, and the second approval was to approve the proposed contract negotiated by the selection committee. She suggested the County Manager approve the selection committee's recommendation within 30 days.

Commissioner Gimenez concurred with Commissioner Jordan's suggestion, and he clarified his proposal was for the County Manager's final recommendation to come before the Commission within 90 days after he

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received the selection committee's original recommendation.

County Manager Burgess noted the proposed 30 and 90 day time limits were reasonable. He noted he would apprise the Commission of an extreme situation that delayed his recommendation on a solicitation.

Commissioner Jordan pointed out the real power in the solicitation process was establishing the Request for Proposal (RFP) specifications. She noted she opposed the impact of the Cone of Silence on the efficiency of the solicitation process. She clarified this proposed ordinance did not significantly change the inefficiencies of the solicitation process caused by the Cone of Silence.

Commissioner Martinez expressed concern that this proposed ordinance with the suggested amendments would provide the County Administration with more power. He noted he supported eliminating the entire Cone of Silence.

Responding to concerns from Commissioners Moss and Sosa regarding outside entities contacting their offices before the County Manager made his final recommendation, Commissioner Diaz noted commissioners were entitled to establish their own policies regarding when they would talk to outside entities.

Commissioner Diaz accepted the following suggested amendments:

- To change "department directors" to "the County Mayor or his designee" on handwritten page 7;*
- To require the County Manager to approve the selection committee's recommendation or authorize the selection committee to negotiate with the vendor(s) within 30 days after the selection committee forwarded its original recommendation to the County Manager;*
- To require the County Manager to make a recommendation on a solicitation to the County Commission within 90 days after he received the selection committee's original recommendation, or to provide the County Commission with a report explaining what delayed him from providing a recommendation within 90 days;*
- To require that a memorandum detailing the reason(s) the County Manager's recommendation on a solicitation changed the recommendation of the selection committee.*

Commissioner Diaz explained the underlined language on handwritten page 5 that Commissioner Sosa suggested to delete was included in this proposed ordinance at the request of DPM. He noted he would accept Commissioner Sosa's suggested amendment if DPM and the Commission on Ethics and Public Trust supported it.

Commissioner Sosa noted she suggested amending this proposed ordinance to remove the language that could allow the selection committee to be pressured to recommend a specific vendor, and to establish a log of communication with vendors.

Mr. Robert Meyers, Director, Commission on Ethics and Public Trust, noted he opposed allowing any of the selection committee members to communicate with anyone until the selection committee made its recommendation. He spoke in support of the selection committee maintaining a log of conversations with outside entities. He clarified the conversations with outside entities should be limited to only what was necessary. Mr. Meyers noted he supported both of Commissioner Sosa's suggested amendments.

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Ms. Singer noted the intent of the proposed amended language on handwritten page 5 was to provide the selection committee with an opening in the Cone of Silence to allow effective communications that would help the selection committee make good business decisions.

Commissioner Diaz accepted Commissioner Sosa's suggested amendments.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed ordinance as amended:

- To delete the underlined language and to resurrect the stricken language on handwritten page 5;
- To add a provision that any County staff having permissible communications with an outside entity or person while the Cone of Silence was in effect must make a record of that communication;
- To change "department directors" to "the County Mayor or his designee" on handwritten page 7;
- To require the County Manager to approve the selection committee's recommendation or authorize the selection committee to negotiate with the vendor(s) within 30 days after the selection committee forwarded its original recommendation to the County Manager;
- To require the County Manager to make a recommendation on a solicitation to the County Commission within 90 days after he received the selection committee's original recommendation, or to provide the County Commission with a report explaining what delayed him from providing a recommendation within 90 days;
- To require that a memorandum detailing the reason(s) the County Manager's recommendation on a solicitation changed the recommendation of the selection committee.

7B

082637

Ordinance

Carlos A. Gimenez

ORDINANCE AMENDING ORDINANCE NO. 07-129 TO
TRANSFER EIGHT PERCENT LOCAL BUSINESS TAX
REVENUES TO THE BEACON COUNCIL FROM THE OFFICE
OF COMMUNITY AND ECONOMIC DEVELOPMENT;
AMENDING SECTION 8A-171.2 OF THE CODE OF MIAMI
DADE COUNTY, FLORIDA RELATING TO LOCAL BUSINESS
TAX, PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM
UNDER FILE NO. 081954]

Amended

Report: See Report Under Agenda Item 7B AMENDED, Legislative File No. 090471.

9/10/2008 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

7B AMENDED

090471

Ordinance

Carlos A. Gimenez,
Rebeca Sosa

ORDINANCE AMENDING ORDINANCE NO. 07-129 TO
TRANSFER EIGHT PERCENT LOCAL BUSINESS TAX
REVENUES TO THE BEACON COUNCIL FROM THE OFFICE
OF COMMUNITY AND ECONOMIC DEVELOPMENT;
AMENDING SECTION 8A-171.2 OF THE CODE OF MIAMI
DADE COUNTY, FLORIDA RELATING TO LOCAL BUSINESS
TAX, PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM
UNDER FILE NO. 082637]

Adopted as amended
Ordinance 08-112
Mover: Carlos A. Gimenez
Seconder: Rebeca Sosa
Vote: 13- 0

FINAL OFFICIAL

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Commissioner Jordan suggested this proposed ordinance be amended to change "encourages" in the last WHEREAS clause to "designates."

Commissioner Gimenez accepted Commissioner Jordan's suggested amendment.

Commissioner Seijas questioned whether the County Commission approved allocating the eight percent Local Business Tax Revenues to the Beacon Council in the Fiscal Year (FY) 2008-09 County budget.

County Manger Burgess explained the FY 2008-09 County budget allocated the eight percent Local Business Tax Revenues to the Beacon Council for uses prescribed in Florida State Law.

Responding to Commissioner Seijas' inquiry regarding the impact of this proposed ordinance versus the impact of the FY 2008-09 County budget, Assistant County Attorney Terrence Smith advised the County budget (Ordinances 08-104 through 08-109) did not rescind the policy that the County Commission adopted on June 7, 1994, that the Beacon Council allocate eight percent of the local business tax revenues to Metro-Miami Action Plan Trust (MMAP), and the County budget did not amend Section 8A-171.2 of the Code of Miami-Dade County, Florida.

In response to Commissioner Rolle's inquiry regarding the monitoring of the use of the eight percent local business tax revenues by the Beacon Council, County Manger Burgess pointed out the Beacon Council was required to provide an annual report on the use of these revenues. He noted the Office of Economic Development Coordination would evaluate the efforts of the different economic development entities in the County.

Commissioner Rolle questioned whether MMAP would continue to develop jobs in the inner-city and in blighted areas.

County Manager Burgess pointed out that MMAP was allocated General Fund dollars in lieu of the eight percent local business tax revenues, and that the MMAP budget was not impacted.

Responding to Commissioner Rolle's request for clarification regarding the monitoring of the use of the eight percent local business tax revenues, County Manager Burgess explained the County Administration would monitor the quarterly reports prepared by the Beacon Council on every aspect of its work. He suggested the County Commission request the Beacon Council present quarterly reports to the Commission. He noted the County Administration could forward the quarterly reports provided by the Beacon Council to the County Commission.

Following further discussion regarding ensuring the Beacon Council used the eight percent local business tax revenues in economically disadvantaged neighborhoods, Commissioner Gimenez pointed out this proposed ordinance had a provision on handwritten page 7 that required the Beacon Council to include a clear statement on its uses of the eight percent local business tax revenues in its annual report to the County Commission.

Following further discussion between Commissioner Sosa and County

FINAL OFFICIAL

Manager Burgess regarding the allocation of additional funds to MMAP in lieu of the eight percent local business tax revenues, the Commission proceeded to vote on this proposed ordinance as amended to change "encourages" in the last WHEREAS clause to "designates."

7C

081945

Ordinance

Sally A. Heyman

ORDINANCE AMENDING SECTION 30-388.2 OF THE CODE
OF MIAMI-DADE COUNTY; PROVIDING THAT
CONSISTENT WITH STATE LAW PARKING CHARGES MAY
BE IMPOSED ON VEHICLES DISPLAYING A DISABLED
PARKING PERMIT OR LICENSE TAG AT ANY COUNTY
AIRPORT OR SEAPORT UNDER SPECIFIED
CIRCUMSTANCES , BUT THAT SUCH CHARGES MAY NOT
BE IMPOSED FOR CERTAIN VEHICLES AS DEFINED IN
SUCH STATE LAW; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Withdrawn

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Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Commissioner Heyman noted this proposed ordinance would amend the Code of Miami-Dade County, Florida to comply with Florida State Statutes. She explained this proposed ordinance addressed a reverse discrimination practice regarding handicapped parking at the airport and seaport.

Mr. Alan Rigerman, 17910 NW 84 Avenue, appeared before the County Commission and spoke in opposition to this proposed ordinance. He noted the Home Rule Charter provided that the County did not need to comply with State Statutes. He suggested the County use police enforcement to fix the handicapped parking problem at the airport, rather than eliminate free parking for some of the disabled.

Responding to Commissioner Seijas' inquiry regarding the impact of this proposed ordinance on preferred parking for the handicapped, Mr. Miguel Southwell, Deputy Director, Miami-Dade Aviation Department, clarified all handicapped people could use the preferred handicapped parking spaces.

Commissioner Seijas explained the free disabled parking at Miami International Airport (MIA) was abused, and abuse caused innocent people to suffer.

Mr. Damien Gregory, 11342 SW 163 Street, appeared before the Commission and spoke in opposition to this proposed ordinance. He expressed concern that disabled individuals would have to pay \$12 dollars per day for parking if they did not have specialized equipment. He spoke in opposition to the County charging some disabled people for parking and not charging other disabled people. Mr. Gregory pointed out the County had other mechanisms to address the abuse of handicapped parking at MIA. He noted the County would be counter productive if it reduced the free disabled parking rather than if it addressed the issues highlighted by the Inspector General.

Mr. Denny Wood, 13000 SW 92 Avenue B-403, appeared before the Commission and spoke in opposition to this proposed ordinance. He noted the disabled people who did not have specialized equipment needed the preferred parking more than those with specialized equipment. He pointed out the upper level preferred parking spaces at MIA were mostly unused. Mr. Wood spoke in support of the County addressing the disabled parking problems at MIA through police enforcement. He expressed concern that the director of the Office of ADA (Americans with Disabilities Act) Coordination would support this proposed ordinance that would take away civil rights and privileges of people with disabilities. Mr. Wood explained the ADA Coordination Director should focus on eliminating physical, attitudinal, and employment barriers for the disabled. He pointed out no MIA passenger was accused of fraud. He stressed MIA was already set up to catch fraudulent use of disabled placards. Mr. Wood noted this proposed ordinance would overload the Special Transportation Service (STS) with expensive trips to MIA.

In response to Commissioner Sosa's question regarding the department that issued the handicapped placards, Ms. Heidi Johnson-Wright, Director, Office of ADA Coordination, explained the State issued the handicapped placards.

Commissioner Sosa noted the County should not punish persons declared disabled by the Social Security Administration. She asked County Attorney Cuevas to prepare a resolution under her sponsorship that would urge the

FINAL OFFICIAL

United States Congress to differentiate between disabled and temporarily handicapped individuals who were issued handicap parking permits. She noted disabled employees at MIA should complete forms documenting their disability and they could be provided an assigned parking spot in the employee parking.

Commissioner Jordan expressed concern that this proposed ordinance would impose parking fees on some disabled persons who could not afford the cost of specialized equipment.

Responding to Commissioner Jordan's inquiry regarding her position on this proposal, Ms. Johnson-Wright noted ADA Coordination supported this proposed ordinance. She noted disabled persons with specialized equipment needed the wider parking spaces.

Commissioner Jordan clarified this proposed ordinance did not eliminate the number of handicapped parking spaces. The issue was who would have to pay for parking, she noted. Commissioner Jordan questioned whether the position of ADA Coordination was that disabled persons with a larger vehicle and specialized equipment should not have to pay for parking. She explained this proposed ordinance should have a provision to allow qualified disabled individuals without specialized equipment to continue parking for free.

Discussion ensued between Commissioners Heyman and Jordan regarding the intent of this proposed ordinance and the mechanism to accomplish that intent by imposing parking fees on disabled persons without specialized equipment.

Following comments by Commissioner Souto regarding the County having compassion on all disabled persons, Mr. Wood noted a doctor had to certify that a person had great difficulty walking 200 feet for that person to receive a handicapped placard.

Commissioner Souto suggested the County take more time to examine the issues in this proposed ordinance.

Ms. Johnson-Wright pointed out disabled persons with a Florida Toll Exemption Permit could also park for free.

Following comments by Commissioner Martinez in opposition to this proposed ordinance, Commissioner Sorenson noted the intent of this proposed ordinance was good, however, it had unintended consequences. She suggested this proposed ordinance be deferred to provide time to address those unintended consequences.

Commissioner Heyman noted the Florida State Statutes established who could be exempt from paying for parking. She stressed the intent of this proposed ordinance was to provide access to handicapped parking for disabled persons. Commissioner Heyman withdrew this proposed ordinance.

- 7/1/2008** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Airport and Tourism Committee
- 7/1/2008** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Transit Committee
- 7/1/2008** Adopted on first reading by the Board of County Commissioners
- 9/10/2008** Forwarded to BCC with a favorable recommendation from the Transit Committee

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9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

7D

**082617 Ordinance Joe A. Martinez,
Rebeca Sosa**

ORDINANCE AMENDING SECTIONS 2-8.1.1 AND 10-33.1 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO BIDS FROM RELATED PARTIES TO INCLUDE A PROHIBITION ON COLLUSIVE BIDDING, REQUIRING THAT RECOMMENDED BIDDERS SUBMIT AN AFFIDAVIT REGARDING THEIR RELATION TO OTHER BIDDERS, AND EXPAND THE PROHIBITIONS TO INCLUDE THE PURCHASE OF GOODS OR SERVICES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 081986]

**Adopted
Ordinance 08-113
Mover: Joe A. Martinez
Second: Rebeca Sosa
Vote: 11- 0
Absent: Rolle, Moss**

9/9/2008 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget and Finance Committee

7E

082128 Ordinance Dorrin D. Rolle

ORDINANCE RELATING TO SEAPORT SAFETY; AMENDING SECTIONS 28A-6.4 AND 28A-6.6 OF THE CODE OF MIAMI-DADE COUNTY; REQUIRING THE PORT DIRECTOR TO CONSIDER A STEVEDORE APPLICANT'S WORK-RELATED SAFETY RECORD IN ISSUING STEVEDORE LICENSES AND PERMITS; AUTHORIZING THE PORT DIRECTOR TO SUSPEND OR REVOKE STEVEDORE LICENSES AND PERMITS BASED ON THE STEVEDORE'S WORK-RELATED SAFETY RECORD; CREATING SECTION 28A-6.7; REQUIRING STEVEDORE LICENSE AND PERMIT HOLDERS TO REPORT WORK-RELATED ACCIDENTS, INJURIES, DEATHS AND REGULATORY ACTIONS TO THE DIRECTOR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: See Report Under Agenda Item 7E AMENDED, Legislative File No. 082975.

7/17/2008 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Transit Committee

7/17/2008 Adopted on first reading by the Board of County Commissioners

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

FINAL OFFICIAL

7E AMENDED

082975

Ordinance

Dorrin D. Rolle

ORDINANCE RELATING TO SEAPORT SAFETY; AMENDING SECTIONS 28A-6.4 AND 28A-6.6 OF THE CODE OF MIAMI-DADE COUNTY; REQUIRING THE PORT DIRECTOR TO CONSIDER A STEVEDORE APPLICANT'S WORK-RELATED SAFETY RECORD IN ISSUING STEVEDORE LICENSES AND PERMITS; AUTHORIZING THE PORT DIRECTOR TO SUSPEND OR REVOKE STEVEDORE LICENSES AND PERMITS BASED ON THE STEVEDORE'S WORK-RELATED SAFETY RECORD; CREATING SECTION 28A-6.8; REQUIRING STEVEDORE LICENSE AND PERMIT HOLDERS TO REPORT WORK-RELATED ACCIDENTS, INJURIES, DEATHS AND REGULATORY ACTIONS TO THE DIRECTOR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL VERSION UNDER FILE NO. 082128]

*Adopted as amended
Ordinance 08-114
Mover: Dorrin D. Rolle
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Moss*

Report: County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

Commissioner Edmonson noted five business days was too much time to allow for accidents, injuries, and deaths to be reported. She suggested this proposed ordinance be amended to provide between two and three days to report accidents, injuries, and deaths.

Mr. Bill Johnson, Director, Port of Miami, noted he did not oppose Commissioner Edmonson's suggested amendment, and that the proposed amendment this would improve this proposal.

Commissioner Seijas suggested this proposed ordinance be amended to change "determination by the Director" to "determination by the County Mayor or his designee" in Section 28A-6.6, and that the other references to the Director in Section 28A-6.6 be changed to reflect the County Mayor or his designee.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed ordinance as amended to change "five (5) business days" on handwritten page 7 to "three (3) business days," and to change "determination by the Director" to "determination by the County Mayor or his designee" in Section 28A-6.6, and that the other references to the Director in Section 28A-6.6 be changed to reflect the County Mayor or his designee.

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Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

7F

081447

Ordinance

Rebeca Sosa,
Jose "Pepe" Diaz

ORDINANCE CREATING MIAMI INTERNATIONAL AIRPORT NEIGHBORHOOD RELATIONS COMMITTEE; PROVIDING PURPOSE, MEMBERSHIP, PROCEDURE, POWERS AND DUTIES, STAFF; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE *Amended*

Report: See Report Under Agenda Item 7F AMENDED, Legislative File No. 091135.

- 5/20/2008 Adopted on first reading by the Board of County Commissioners
- 5/20/2008 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Airport and Tourism Committee
- 7/10/2008 Deferred due to lack of a quorum by the Airport and Tourism Committee
- 9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

7F AMENDED

091135

Ordinance

Rebeca Sosa,
Jose "Pepe" Diaz

ORDINANCE CREATING MIAMI INTERNATIONAL
AIRPORT NEIGHBORHOOD RELATIONS COMMITTEE;
PROVIDING PURPOSE, MEMBERSHIP, PROCEDURE,
POWERS AND DUTIES, STAFF; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO.
081447]

Adopted as amended
Ordinance 08-115
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 7- 5
No: Jordan, Edmonson,
Barreiro, Souto, Seijas
Absent: Moss

Report: County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

Commissioner Jordan questioned whether the County should establish one entity to address aviation issues as opposed to many special committees to address one issue at a single County airport.

Commissioner Sosa noted this proposed ordinance would create a neighborhood relations committee, with no decision making power, that would provide commissioners the opportunity to listen to the community, to evaluate citizen's recommendations, and to mitigate adverse impacts to the residential areas next to Miami International Airport (MIA). She noted she would support any proposals to create similar committees for the other County airports.

Commissioner Seijas noted the Opa-locka Executive Airport had some severe issues.

Responding to Commissioner Seijas' inquiry regarding the impact of this proposed ordinance, Assistant County Attorney David Murray advised the intent of this proposed ordinance was to provide residents a mechanism to provide input and recommendations to the commissioners representing Commission Districts 6 and 12.

Following further discussion between Commissioners Sosa and Seijas regarding the intent of this proposed ordinance, Commissioner Seijas questioned who would comprise this new neighborhood relations committee.

Assistant County Attorney Murray advised the mayors of various cities and the commissioners in Districts 6 and 12 would choose the members of this proposed Neighborhood Relations Committee..

Commissioner Seijas noted the County airports were countywide resources and the Commission should nominate the Neighborhood Relations Committee members.

Following comments by Chairman Barreiro in opposition to this proposed ordinance and comments by Commissioner Diaz in support, Commissioner Sosa amended this proposed ordinance to delete "aircraft noise" from Section 2.

Commissioner Seijas questioned whether Commissioner Sosa's amendment changed the body that would receive input from the Neighborhood Relations Committee.

Commissioner Sosa explained the Neighborhood Relations Committee would provide input to the commissioners representing Commission Districts 6 and 12, and that these commissioners would report to the Commission.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed ordinance as amended to delete "aircraft noise" from Section 2.

FINAL OFFICIAL

7F SUPPLEMENT

082800**Supplement**

MIAMI INTERNATIONAL NEIGHBORHOOD RELATIONS
COMMITTEE REPORT PURSUANT TO SECTION 2-11.37(B)

Presented

7G

081446**Ordinance****Rebeca Sosa**

ORDINANCE CREATING AIRCRAFT NOISE ABATEMENT
ADVISORY BOARD FOR MIAMI INTERNATIONAL
AIRPORT; PROVIDING MEMBERSHIP, PURPOSE,
PROCEDURES, POWERS AND DUTIES; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE

Adopted***Ordinance 08-116******Mover: Rebeca Sosa******Seconder: Dorrin D. Rolle******Vote: 11- 1******No: Souto******Absent: Moss***

Report: *County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Commissioner Sosa noted Commissioner Gimenez and she held a Government-in-the-Sunshine meeting to discuss the membership of the Aircraft Noise Abatement Advisory Board for Miami International Airport.

Responding to Commissioner Jordan's inquiry whether the Mayor of the City of Opa-Locka could nominate a member of this proposed advisory board, Commissioner Sosa noted the Mayor of the City of Opa-Locka was not included in this proposed advisory board for Miami International Airport. She pointed out a similar advisory board existed for the Opa-Locka Executive Airport.

Hearing no other questions or comments, the Commission proceeded to vote.

5/20/2008 *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Airport and Tourism Committee*

5/20/2008 *Adopted on first reading by the Board of County Commissioners*

7/10/2008 *Deferred due to lack of a quorum by the Airport and Tourism Committee*

9/11/2008 *Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee*

7G SUPPLEMENT

082799**Supplement**

MIAMI INTERNATIONAL AIRPORT (MIA) AIRCRAFT NOISE
ABATEMENT ADVISORY BOARD

Presented

FINAL OFFICIAL

7H

082614

Ordinance

Sen. Javier D. Souto,
Bruno A. Barreiro,
Jose "Pepe" Diaz

ORDINANCE AMENDING ARTICLE XCIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 082109 AND 082444]

Adopted

Ordinance 08-117

Mover: Sen. Javier D. Souto

Seconder: Jose "Pepe" Diaz

Vote: 11- 1

No: Sosa

Absent: Moss

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

Commissioner Sosa expressed concern regarding the provision in this proposed ordinance that would allow the members of the Social and Economic Development Council to appoint new members to the Council, as opposed to the County Commission appointing new members.

Commissioner Souto noted the Social and Economic Development Council (SEDC) requested he present this proposed ordinance on its behalf. He emphasized the SEDC functioned as the County Commission's economic advisors. Commissioner Souto asked the County Manager to provide an oral report regarding the economic conditions of the County at every future County Commission meeting.

Chairman Barreiro pointed out the Commission would ratify the appointments made to the SEDC by the SEDC.

Commissioner Seijas noted she supported this proposal because of the prestige and integrity of Mr. Antonio Jorge, who sat on the SEDC.

Commissioner Diaz and Chairman Barreiro asked that they be listed as co-sponsors.

Hearing no other questions or comments, the Commission proceeded to vote.

9/10/2008 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

FINAL OFFICIAL

7I

	Ordinance	County Commission
	ORDINANCE CHANGING THE BOUNDARIES OF THE CITY OF FLORIDA CITY, FLORIDA, AND AMENDING THE CHARTER OF SUCH MUNICIPALITY BY PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS, UNDER AND PURSUANT TO PROCEEDINGS PRESCRIBED BY SECTION 6.04(B) OF THE HOME RULE CHARTER; PROVIDING FOR RESERVATION TO THE COUNTY OF ELECTRIC FRANCHISE AND UTILITY TAX REVENUES; PROVIDING RETENTION OF GARBAGE AND REFUSE COLLECTION AND DISPOSAL; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 082122] [SEE AGENDA ITEM NO. 11A15]	<i>Adopted Ordinance 08-118 Mover: Jose "Pepe" Diaz Seconder: Dorrin D. Rolle Vote: 12- 0 Absent: Moss</i>
7/14/2008	Requires Municipal Notification by the Board of County Commissioners to the Government Operations Committee	
7/17/2008	Adopted on first reading by the Board of County Commissioners	
7/22/2008	Municipalities notified of public hearing by the Board of County Commissioners to the Governmental Operations and Environment Committee	
9/9/2008	Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee	

7J

	Ordinance	
	ORDINANCE ABOLISHING THE PERFORMING ARTS CENTER OF GREATER MIAMI TRUST: DELETING ARTICLE XXXIII C OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA IN ITS ENTIRETY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (County Manager)	<i>Adopted Ordinance 08-119 Mover: Carlos A. Gimenez Seconder: Barbara J. Jordan Vote: 12- 0 Absent: Moss</i>
7/1/2008	Adopted on first reading by the Board of County Commissioners	
7/1/2008	Tentatively scheduled for a public hearing by the Board of County Commissioners to the Recreation & Cultural Affairs Committee	
9/8/2008	Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee	

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Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

7K

081388

Ordinance

Jose "Pepe" Diaz,
Carlos A. Gimenez,
Sally A. Heyman,
Dennis C. Moss,
Rebeca Sosa,
Dorrin D. Rolle,
Katy Sorenson,
Sen. Javier D. Souto

ORDINANCE PERTAINING TO ANIMALS; CREATING
SECTION 5-21 AND AMENDING SECTION 8CC-10 OF THE
CODE OF MIAMI-DADE COUNTY (THE "CODE");
REGULATING THE TETHERING OF DOGS; PROVIDING
AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE (Animal Services)

Amended

Report: See Report Under Agenda Item 7K AMENDED, Legislative File No.
082976.

- 5/20/2008 Adopted on first reading by the Board of County Commissioners
- 5/20/2008 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Health and Public Safety Committee
- 9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

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Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

7K AMENDED

082976

Ordinance

Jose "Pepe" Diaz,
Carlos A. Gimenez,
Sally A. Heyman,
Dennis C. Moss,
Dorrin D. Rolle,
Katy Sorenson,
Rebeca Sosa,
Sen. Javier D. Souto

ORDINANCE PERTAINING TO ANIMALS; CREATING
SECTION 5-21 AND AMENDING SECTION 8CC-10 OF THE
CODE OF MIAMI-DADE COUNTY (THE "CODE");
REGULATING THE TETHERING OF DOGS; PROVIDING
AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER
FILE NO. 081388] (Animal Services)

*Adopted as amended
Ordinance 08-120
Mover: Jose "Pepe" Diaz
Seconded: Rebeca Sosa
Vote: 11- 1
No: Jordan
Absent: Moss*

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

Commissioner Diaz noted animals needed to be treated with love and owners tethering and abandoning them was unacceptable.

Commissioners Souto and Rolle asked that they be listed as co-sponsors.

Commissioner Jordan noted this proposed ordinance was problematic for a dog owner who did not have a fenced yard. She pointed out the only way for dog owners who did not have a fenced yard to keep their dogs was to keep them inside their house.

Mr. Alan Rigerman, 17910 NW 84 Avenue, appeared before the County Commission and spoke in opposition to this proposed ordinance.

Commissioner Seijas expressed concern regarding the impact of this proposed ordinance on people who did not have fenced yards. She noted a policy regarding the tethering of dogs needed to address cruelty to animals and common sense.

Dr. Sara Pizano, Director, Animal Services, explained this proposed ordinance would be effective six months after the Commission adopted it to provide the County time to educate the community and reach out to dog trainers. She pointed out the punishment for a dog owner's first violation of this proposed ordinance would be a warning providing the owner 30 days to correct the violation. She noted the County would provide free dog obedience classes. Dr. Pizano pointed out Florida State law did not protect dogs if they had food, shelter, and water. She noted no major animal welfare organization favored tethering dogs and they all considered it an act of cruelty. She explained that the County was reaching out to the sectors of the community that were impacted by the fencing issue.

Commissioner Seijas noted the County could not afford to build fences for dog owners who did not have a fenced yard, and private companies were unlikely to donate time or resources. She expressed concern that this proposed ordinance did not provide an exception for dog owners who could not afford a fence, but their dogs did not have any signs of mistreatment.

Discussion ensued between Commissioner Jordan and Dr. Pizano regarding the impact of this proposed ordinance on the rate of dogs being adopted and dogs being euthanized.

Commissioner Seijas emphasized that this proposed ordinance was too idealistic and needed to better address reality.

Commissioner Sosa suggested this proposed ordinance be amended to add a provision that houses without a fence could have a chained dog to preserve the life of the dog.

Commissioner Sorenson explained pet ownership required being responsible for caring and nurturing that pet and ensuring the pet was not tortured. She noted the importance of teaching children to properly care for pets.

Following comments by Commissioner Souto regarding the Commission addressing the issue of attack dogs being kept in front yards that had fences that the dogs could jump over, Commissioner Heyman noted the Code of

FINAL OFFICIAL

Miami-Dade County, Florida did not permit fences in some subdivisions. She pointed out this proposed ordinance was driven by consumer complaints. She suggested the Commission adopt this proposed ordinance and amend it, as necessary, in the future.

Commissioner Edmonson pointed out some dogs could jump over fences, and the only option for the owners of these dogs was to tether their dogs.

Responding to Chairman Barriero's comment that this proposed ordinance should include a time limit for how long a dog could be tethered, Dr. Pizano noted a time limit would require officers to watch and document the dog was tethered for the specified time limit.

Commissioner Martinez questioned the impact of amending this proposed ordinance to delete "the responsible party is located outside with the dog" from Section 5-21.(b)1.

Dr. Pizano noted the impact of the amendment questioned by Commissioner Martinez was that dog owners could leave their dogs tethered for long periods of time.

In response to Commissioner Martinez questioning whether this proposed ordinance could be amended to delete the \$250 civil penalty for unlawfully tethering a dog, Assistant County Attorney Dennis Kerbel advised each County department had the discretion on code enforcement decisions.

Commissioner Martinez expressed concern that this proposed ordinance would become a mechanism to generate funds for Animal Services. He noted the officers would issue violations based on their interpretation of the law and the situation.

County Manager Burgess noted generating revenues should not be the objective for proposing this type of legislation. He noted the objective was proper care of the animal, and the department needed a way to punish repeat offenders.

Responding to Commissioner Martinez's question whether the civil penalty could be changed to a second degree misdemeanor, Assistant County Attorney Kerbel advised code violations were considered misdemeanors.

Commissioner Diaz pointed out some dog owners lived in apartments and they were able to care for their dogs without a yard or fence.

Commissioner Sosa noted this proposed ordinance would have limited success if it did not have a penalty. She suggested this proposed ordinance be amended to indicate the monies collected from the civil penalty would be used to help abused animals.

Commissioner Seijas expressed concern regarding the amount of the civil penalty. She suggested the civil penalty be decreased.

Following discussion between Commissioners Diaz and Seijas regarding the amount of the civil penalty, Commissioner Diaz amended this proposed ordinance as follows:

- that the penalty for violating Section 5-21 of the Code of Miami-Dade County would be a warning for the first violation, \$100.00 for the second*

violation, and \$500.00 for each subsequent violation; and

- that the monies collected from the civil penalty be used to help abused animals.

Commissioner Seijas asked the County Manager to provide the County Commission, in six months, with a report detailing the educational outreach done by the County regarding the tethering of dogs. She indicated this report should include the number of people that were educated, the number of dogs that were impacted by the educational outreach, and the provision to address the middle ground between the conditions in this proposed ordinance and no restrictions on tethering.

Commissioner Jordan asked the County Manager to include in the report requested by Commissioner Seijas a comparison to the current figures of the number of dogs euthanized and the adoption trend for dogs before and after this proposed ordinance was adopted.

Commissioner Jordan noted she opposed the implication in this proposed ordinance that people should not own dogs if they could not afford to live in a house with a fenced yard.

Commissioner Edmonson asked the County Manager to include in the report that Commissioner Seijas requested the number of appeals to the no tethering law that were denied and that were granted, as well as the total number of appeals to code violations and the number of successful appeals from October 2007 to October 2008.

Following discussion among Commissioner Martinez, County Manager Burgess, and Dr. Pizano regarding the entity that would receive the revenue generated from the civil penalty, the Commission proceeded to vote on this proposed ordinance as amended as follows:

- That the penalty for violating Section 5-21 of the Code of Miami-Dade County would be a warning for the first violation, \$100.00 for the second violation, and \$500.00 for each subsequent violation;
- that 75% of the monies collected be allocated to the Animal Services Trust Fund and that 25% of the monies collected be allocated to the Animal Services Department operating expenses; and
- that a report be provided to the County Commission in six months with the following information:
 - o the educational outreach done by the County regarding the tethering of dogs;
 - o the number of people that were educated and the number of dogs that were impacted by the educational outreach;
 - o the proposed provision to address the middle ground between the conditions in this proposed ordinance and no restrictions on tethering;
 - o the figures for the number of dogs euthanized in the County and the adoption trend for dogs in the County before and after this proposed ordinance was adopted; and
 - o the number of appeals to Section 5-21 that were denied and granted, as well as the total number of appeals to Code violations and the number of successful appeals from October 2007 to October 2008.

8A AVIATION DEPARTMENT

8A1A

082424 Resolution

RESOLUTION RELATING TO KENDALL-TAMIAMI EXECUTIVE AIRPORT; RATIFYING THE EXECUTION BY THE MAYOR OR HIS DESIGNEE, PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE CODE OF MIAMI-DADE COUNTY, OF GRANT AGREEMENT AIP NO. 3-12-0050-007-2008 WITH THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF \$483,550 WITH FUNDS THEREUNDER TO BE APPLIED TO THE COSTS OF THE DESIGN OF THE EXTENSION OF RUNWAY 9R/ 27L OF KENDALL-TAMIAMI EXECUTIVE AIRPORT (Aviation Department)

*Adopted
Resolution R-1000-08
Mover: Joe A. Martinez
Seconder: Carlos A. Gimenez
Vote: 13- 0*

Report: *Mr. Miguel Southwell, Deputy Director, Miami-Dade Aviation Department, noted, for the record, that the \$25,450 balance for the design costs on the runway extension project at Kendall-Tamiami Executive Airport would be funded by construction funds, not operating funds.*

Hearing no other questions or comments, the Commission proceeded to vote.

9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

8A1B

082427 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF A RAILROAD REIMBURSEMENT AGREEMENT AMONG MIAMI-DADE COUNTY, THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND CSX TRANSPORTATION, INC. UNDER FINANCIAL PROJECT NUMBER 41466015701 ESTABLISHING THE OBLIGATIONS OF ALL THREE PARTIES RELATING TO THE RELOCATION OF RAILROAD GRADE CROSSINGS AND ASSOCIATED DEVICES RESULTING FROM THE RE-ROUTING OF PERIMETER ROAD AT THE AIRPORT (Aviation Department)

*Adopted
Resolution R-1001-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

8A1C

082428 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF A RAILROAD REIMBURSEMENT AGREEMENT UNDER FINANCIAL PROJECT NUMBER 41820815701 AMONG THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), CSX TRANSPORTATION, INC. (CSXT), AND MIAMI-DADE COUNTY, UNDER WHICH CSXT WILL CONSTRUCT A GRADE CROSSING ON PERIMETER ROAD BETWEEN N.W. 72ND AVENUE AND N.W. 57TH AVENUE, FDOT WILL REIMBURSE CSXT FOR THE COST OF CONSTRUCTION, AND THE COUNTY WILL BE RESPONSIBLE FOR FIFTY PERCENT OF THE FUTURE MAINTENANCE COSTS OF THE GRADE CROSSING (Aviation Department)

9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

*Adopted
Resolution R-1002-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

8A1D

082458 Resolution

RESOLUTION DECLARING THE ACQUISITION OF PROPERTY LOCATED AT 6600 N.W. 36 ST., VIRGINIA GARDENS, FLORIDA, NEEDED FOR THE WIDENING AND RECONSTRUCTION OF THE INTERSECTIONS OF NW 67TH AVENUE AT PERIMETER ROAD AND NW 36TH STREET, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR BY EMINENT DOMAIN, INCLUDING A DECLARATION OF TAKING AS NECESSARY (Aviation Department)

Report: Commissioner Martinez noted he opposed this proposed resolution because it had no limit to the amount of funds the Mayor and the County Attorney could expend to acquire the subject property.

Hearing no other questions or comments, the Commission proceeded to vote.

9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

*Adopted
Resolution R-1003-08
Mover: Rebeca Sosa
Seconder: Audrey M. Edmonson
Vote: 12- 1
No: Martinez*

8B [No items were submitted for this section.]

8C CONSUMER SERVICES DEPARTMENT

8C1A

082288 Resolution

RESOLUTION APPROVING APPLICATION OF EXCEL TRANSPORTATION, INC. TO MODIFY CERTIFICATE OF TRANSPORTATION NO. 123 TO PROVIDE JITNEY SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

*Adopted
Resolution R-1004-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8D ENVIRONMENTAL RESOURCES MANAGEMENT

8D1A

082362 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND BROWN ET AL C/O PAT TELLIS AS SELLER; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted
Resolution R-1005-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D1B

082280 Resolution

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$400,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT ENVIRONMENTAL ENHANCEMENT THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

*Adopted
Resolution R-1006-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Sosa, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

8D1C

082281 Resolution

RESOLUTION AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND FOR BAYNANZA 2009 AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT TO PROVIDE FUNDING TO MIAMI-DADE COUNTY FOR THIS EVENT (Department of Environmental Resources Management)

*Adopted
Resolution R-1007-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D1D

082359 Resolution

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY TO PRESERVE AND ENHANCE A 1.19 ACRE TREE PRESERVE AREA AND BUFFER AREA FOR TREE ISLAND LOCATED IN THE BIRD DRIVE WETLAND BASIN BETWEEN SW 52 STREET AND 54 TERRACE AND BETWEEN SW 157 AVENUE AND 158 COURT IN SECTION 20, TOWNSHIP 54 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Adopted
Resolution R-1008-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D1E

082360 Resolution

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY TO PROTECT AND MANAGE 23.67 ACRES OF WETLANDS LOCATED BETWEEN NW 207 AND 210 STREETS AND BETWEEN NW 4 AND 7 AVENUES IN SECTION 36, TOWNSHIP 51 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Adopted
Resolution R-1009-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

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8D1F

082361 Resolution

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 10.22 ACRES IN THE WILKINS-PIERSON PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND HENRY QUINTANA, AS TRUSTEE OF THE PQWB LAND TRUST DATED APRIL 26, 1996, AS SELLER; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted
Resolution R-1010-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8E FINANCE DEPARTMENT

8E1A

082406 Resolution

RESOLUTION APPROVING EXTENSION OF 2008 REAL AND PERSONAL PROPERTY TAX ROLLS AND ISSUANCE OF TAX BILLS PRIOR TO COMPLETION OF THE VALUE ADJUSTMENT BOARD HEARINGS (Finance Department)

*Adopted
Resolution R-1011-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

8F GENERAL SERVICES ADMINISTRATION

8F1A

082240 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A RETROACTIVE LEASE AGREEMENT AT 1094 N.W. NORTH RIVER DRIVE, MIAMI WITH SPRING GARDEN CIVIC ASSOCIATION, INC., A FLORIDA NON PROFIT CORPORATION, FOR PREMISES TO BE UTILIZED AS A PASSIVE PARK; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted
Resolution R-1012-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

FINAL OFFICIAL

8F1B

082292 Resolution

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT EAST 25TH STREET AND EAST 6TH AVENUE, HIALEAH; AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY FOR \$133,000.00 TO THE ADJACENT PROPERTY OWNER, BUILDING 600 @25TH STREET, L.L.C., WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE (General Services Administration Department)

Withdrawn

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

Report: *During consideration of changes to today's agenda, the Board withdrew the foregoing proposed resolution as requested by the County Manager in his memorandum of changes dated October 7, 2008.*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8F1C

082294 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR BUILDINGS NUMBERED 24, 25, 26 AND 27, COMPRISING 14,400 SQUARE FEET, LOCATED AT 20600 N.W. 47TH AVENUE, MIAMI, WITH THE CENTER FOR FAMILY AND CHILD ENRICHMENT, INC. FOR THE BUILDINGS TO BE UTILIZED TO OPERATE CHILD WELFARE AND RESPITE PROGRAMS AND FOR ANCILLARY OFFICE AND STORAGE SPACE AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Adopted

Resolution R-1013-08

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

8F1D

082300 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF \$1,400,000, BETWEEN BETTER WAY OF MIAMI, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 26,128 SQUARE FEET OF IMPROVED PROPERTY LOCATED AT 110 N.E. 79 STREET, MIAMI, FOR THE RELOCATION OF THE LITTLE RIVER BRANCH LIBRARY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted**Resolution R-1014-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

8F1E

082303 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF \$930,000, BETWEEN DAVID BROMLEY, TRUSTEE AND AUSAR IMOVEIS LIMITADA, LC, A NEVADA DOMESTIC LIMITED-LIABILITY COMPANY, AS SELLERS, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 31,900 SQUARE FEET OF IMPROVED PROPERTY LOCATED AT 102 N.W. 62 STREET AND 114 N. W. 62 STREET, FOR THE PURPOSE OF CONSTRUCTING PERMANENT SUPPORTIVE HOUSING FOR FORMERLY HOMELESS PERSONS AND FAMILIES, AND AFFORDABLE HOUSING FOR LOW INCOME PERSONS AND FAMILIES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Deferred to November 20, 2008**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

Report: During consideration of changes to today's agenda, the Board deferred the foregoing proposed resolution as requested by the County Manager.

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8F1F

082307 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 4284-4288 S.W. 152 AVENUE, MIAMI, WITH THE MEADOWS SHOPPING CENTER, LLC, A FLORIDA CORPORATION, FOR PREMISES TO BE UTILIZED BY THE MIAMI-DADE PUBLIC LIBRARY SYSTEM AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted
Resolution R-1015-08
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Rolle*

Report: *Commissioner Jordan noted the County normally paid a three percent increase to the annual base rent for the library in the Meadows Shopping Center. She questioned why the increase was four percent in this proposed resolution.*

Ms. Wendi Norris, Director, General Services Administration, noted the percentage increase varied based on the market and the landlord.

Hearing no other questions or comments, the Commission proceeded to vote.

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

8F3A

082425 Change Orders

CHANGE ORDER NO. 3 AND FINAL BETWEEN ABC CONSTRUCTION, INC. AND MIAMI-DADE COUNTY FOR CONSTRUCTION OF THE NEW PROTOTYPE BRANCH LIBRARY (INTERNATIONAL MALL: 1275 NW 107TH AVENUE, MIAMI, FL 33172) - PROJECT NO: W50197; CONTRACT NO: W50197 (General Services Administration Department)

*Approved
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/8/2008 Forwarded with a favorable recommendation from the Recreation & Cultural Affairs Committee

8G HOUSING AGENCY

8G1A

082556 Resolution

RESOLUTION AUTHORIZING THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) OVERSIGHT ADMINISTRATOR IN CHARGE OF MIAMI-DADE HOUSING AGENCY (MDHA) TO SUBMIT A DISPOSITION APPLICATION TO US HUD ON BEHALF OF MIAMI-DADE COUNTY THROUGH MDHA, FOR THE DISPOSITION OF 1.8 ACRES OF UNDEVELOPED LAND LOCATED WITHIN THE PUBLIC HOUSING DEVELOPMENT KNOWN AS VICTORY HOMES (Miami-Dade Housing Agency)

*Adopted
Resolution R-1016-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8G1B

082557 Resolution

RESOLUTION AUTHORIZING THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) OVERSIGHT ADMINISTRATOR IN CHARGE OF MIAMI-DADE HOUSING AGENCY (MDHA) TO SUBMIT A DEMOLITION/DISPOSITION APPLICATION TO US HUD ON BEHALF OF MIAMI-DADE COUNTY THROUGH MDHA, FOR THE DEMOLITION AND DISPOSITION OF LINCOLN GARDENS, A FORTY-SEVEN (47) UNIT PUBLIC HOUSING FAMILY DEVELOPMENT WITHIN UNINCORPORATED MIAMI-DADE COUNTY, (USHUD ID # FL. 5-19A), LOCATED AT 4771 NW 24 COURT, MIAMI, FLORIDA (Miami-Dade Housing Agency)

*Adopted
Resolution R-1017-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8H HUMAN SERVICES DEPARTMENT

8H1A

082441 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, AND EXPEND FEDERAL OLDER AMERICANS ACT TITLE III FUNDS FROM THE ALLIANCE FOR AGING, INC., IN THE APPROXIMATE AMOUNT OF \$600,000 FOR MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE, AMEND AND EXTEND SUCH CONTRACTS AND AGREEMENTS AS REQUIRED; AND TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUTURE FUNDS SHOULD THEY BECOME AVAILABLE UNDER THIS PROGRAM FOR THIS PURPOSE (Human Services Department)

*Adopted
Resolution R-1018-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

Report: Commissioner Sorenson commended Miami-Dade Transit Agency for adding 462 new parking spaces along the busway for a good price.

Hearing no other questions or comments, the Commission proceeded to vote.

Commissioner Seijas asked the Miami-Dade Transit Director to ensure that the service levels in north Miami-Dade County were similar to the service provided at the busway and the park-and-ride lots in south Miami-Dade County.

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8I [No items were submitted for this section.]**8J MIAMI-DADE TRANSIT AGENCY**

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

8J1A

082529 Resolution

RESOLUTION APPROVING A LEASE AGREEMENT FOR A BUSWAY PARK AND RIDE LOT BETWEEN MIAMI-DADE COUNTY AND INMOBILIARIA BALEARES, LLC., FOR USE OF IMPROVED REAL PROPERTY LOCATED AT S.W. 112TH AVENUE/SOUTH ALLAPATTAH ROAD AND THE SOUTH MIAMI-DADE BUSWAY IN THE AMOUNT OF \$65,000 ANNUALLY; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, TO EXECUTE SAME AND EXERCISE ANY AND ALL PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

*Adopted
Resolution R-1019-08
Mover: Rebeca Sosa
Seconder: Katy Sorenson
Vote: 13- 0*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8J1B

082531 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A JOINT USE AGREEMENT (JUA) WITH MIAMI-DADE EXPRESSWAY AUTHORITY (MDX) FOR THE JOINT-USE OF RIGHT OF WAY ALONG THE AIRPORT EXPRESSWAY/STATE ROAD 112 (SR 112) AND LEJEUNE ROAD FOR USE BY MIAMI-DADE COUNTY IN THE CONSTRUCTION OF THE MIAMI INTERMODAL CENTER-EARLINGTON HEIGHTS (MIC-EH) CONNECTOR PROJECT; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE PROVISIONS CONTAINED THEREIN FOR AND ON BEHALF OF MIAMI-DADE COUNTY (Miami-Dade Transit Agency)

*Adopted
Resolution R-1020-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8J1C

082533 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND URS CORPORATION SOUTHERN (URS) FOR POST DESIGN SERVICES FOR THE METRORAIL ORANGE LINE PHASE I- MIAMI INTERMODAL CENTER (MIC)/EARLINGTON HEIGHTS CONNECTOR PROJECT IN THE AMOUNT OF \$9,360,172 AND A CONTRACT TIME EXTENSION OF 346 CALENDAR DAYS (Miami-Dade Transit Agency)

*Adopted
Resolution R-1021-08
Mover: Katy Sorenson
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: Moss, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8K

OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

8K1A

082507**Resolution**

RESOLUTION RECOMMENDING CONFIDENTIAL PROJECT NO. 08-00268 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT NO. 08-00268 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$112,000 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2012 THROUGH 2017, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT NO. 08-00268 APPLICATION WITH THE PROVISION THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 08-00268 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT NO. 08-00268 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9; AND PROVIDING FOR AN EFFECTIVE DATE (Office of Community and Economic Development)

Amended

Report: See Report Under Agenda Item 8K1A AMENDED, Legislative File No. 083111.

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8K1A AMENDED

083111

Resolution

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO. 08-00268 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT NO. 08-00268 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$112,000 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2010 THROUGH 2015, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT NO. 08-00268 APPLICATION WITH THE PROVISION THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 08-00268 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT NO. 08-00268 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9; AND PROVIDING FOR AN EFFECTIVE DATE [SEE ORIGINAL FILE NUMBER UNDER 082507] (Office of Community and Economic Development)

*Adopted as amended
Resolution R-1022-08
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 13- 0*

Report: Ms. Hana Eskra, Deputy Director, Office of Community and Economic Development, noted this proposed resolution should be amended to change the dates on handwritten page 5 from Fiscal Year 2012 through 2017 to Fiscal Year 2010 through 2015.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended.

8L

OFFICE OF STRATEGIC BUSINESS MANAGEMENT

8L1A

082302 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, DISBURSE AND EXPEND FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR COMPREHENSIVE HEALTH AND SOCIAL SERVICES FOR LOW INCOME PEOPLE LIVING WITH HIV/AIDS; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND ADDITIONAL FUNDS WHICH BECOME AVAILABLE; AUTHORIZING CONTRACTS THEREOF; AND AUTHORIZING THE MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE AMENDMENTS, MODIFICATIONS, CANCELLATION OR TERMINATION CLAUSES OF ANY EXISTING CONTRACTS AND AGREEMENTS WITH SERVICE PROVIDERS (Office of Strategic Business Management)

Amended

Report: See Report Under Agenda Item 8L1A AMENDED, Legislative File No. 083304.

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

8L1A AMENDED

083304 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, DISBURSE AND EXPEND FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR COMPREHENSIVE HEALTH AND SOCIAL SERVICES FOR LOW INCOME PEOPLE LIVING WITH HIV/AIDS; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND ADDITIONAL FUNDS WHICH BECOME AVAILABLE; AUTHORIZING CONTRACTS THEREOF; AND AUTHORIZING THE MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE AMENDMENTS, MODIFICATIONS, CANCELLATION OR TERMINATION CLAUSES OF ANY EXISTING CONTRACTS AND AGREEMENTS WITH SERVICE PROVIDERS [SEE ORIGINAL ITEM UNDER FILE NO. 082302] (Office of Strategic Business Management)

*Adopted as amended
Resolution R-1023-08*

Mover: Jose "Pepe" Diaz

Second: Carlos A. Gimenez

Vote: 13- 0

Report: Special Assistant to the County Manager Jennifer Glazer-Moon noted this proposed resolution should be amended to change "Office of Strategic Business Management (OSBM)" to "Office of Grants Coordination (OGC)" on handwritten page one.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended by Special Assistant Glazer-Moon.

8L1B

082452 Resolution

RESOLUTION RATIFYING THE MAYOR OR THE MAYOR'S DESIGNEE'S ACTION IN APPLYING FOR UNITED STATES DEPARTMENT OF JUSTICE GRANT PROGRAM FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE, EXPEND, AND EXECUTE SUCH CONTRACTS, AGREEMENTS, AND MEMORANDA OF UNDERSTANDING, AND AMENDMENTS AFTER APPROVAL BY THE COUNTY ATTORNEY; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (Office of Strategic Business Management)

*Adopted
Resolution R-1024-08
Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

8L1C

082453 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD FOR THE PROVISION OF DRIVER'S EDUCATION; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN [SEE AMENDED ITEM UNDER FILE NO. 083153] (Office of Strategic Business Management)

Amended

Report: See Report Under Agenda Item 8L1C AMENDED, Legislative File No. 083303.

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

8L1C AMENDED

083303 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD FOR THE PROVISION OF DRIVER'S EDUCATION; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 082453] (Office of Strategic Business Management)

*Adopted as amended
Resolution R-1025-08
Mover: Joe A. Martinez
Second: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Moss, Seijas*

Report: Commissioner Sosa noted, for the record, she did not have a conflict of interest with this proposed resolution.

Special Assistant to the County Manager Jennifer Glazer-Moon noted this proposed resolution should be amended on handwritten page one, under "Track Record/Monitor" to indicate the Office of Grants Coordination would be responsible for monitoring this Interlocal Agreement.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended by Special Assistant Glazer-Moon.

8L1D

082503 Resolution

RESOLUTION APPROVING AMENDMENTS TO THE COMMUNITY REDEVELOPMENT PLAN FOR THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY (Office of Strategic Business Management)

Deferred to no date certain
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8M [No items were submitted for these sections.]

80 PROCUREMENT MANAGEMENT DEPARTMENT

8O1A

082482 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES RATIFYING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AWARD OF THREE EMERGENCY CONTRACTS: CONTRACT NO. E8805-0/09 IN THE AMOUNT OF \$5,153,374 WITH CASCADE ENGINEERING, INC. FOR RECYCLING CONTAINERS, CONTRACT NO. E8806-0/09 WITH BARKER ENVIRONMENTAL COMPANY LLC IN THE AMOUNT OF \$609,000 FOR ASSEMBLY AND DELIVERY OF RECYCLING CONTAINERS AND CONTRACT NO. E8807-0/09 IN THE AMOUNT OF \$3,847,214 WITH OTTO ENVIRONMENTAL SYSTEMS FOR RECYCLING CONTAINERS (Procurement Management Department)

Adopted
Resolution R-1026-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8O1B

082492 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS- TO-RENEW ESTABLISHED THEREUNDER (Procurement Management Department)

Adopted
Resolution R-1027-08
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 13- 0

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

801C

082493

Resolution

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND CONTRACT MODIFICATIONS AND AWARD OF COMPETITIVELY BID CONTRACTS OF OTHER GOVERNMENTAL ENTITIES FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

*Adopted**Resolution R-1028-08**Mover: Barbara J. Jordan**Seconder: Joe A. Martinez**Vote: 10- 0**Absent: Moss, Souto, Seijas*

Report: *Commissioner Diaz questioned whether the County already had the funding for the contracts in this proposed resolution, and what would be the funding sources for these contracts.*

County Manager Burgess noted the County had to budget the funds before it accessed procurement contracts. He clarified the funds were in place, or would be part of the County budget in future years for the multi-year contracts. He explained that this proposed resolution was contract allocations and the contracts did not expend funds; that the County accessed the contracts based on funding availability. County Manager Burgess noted the only commercial paper the County used was to support the capital improvements program on the North Terminal at Miami International Airport.

Responding to Commissioner Jordan's question regarding the additional allocations for the 153 items not awarded on May 6, 2008, on handwritten page 24, Ms. Miriam Singer, Director, Department of Procurement Management, noted the County did not award the 153 items because the vendors' offers were deemed non-responsive.

In response to Commissioner Jordan's inquiry regarding the solicitation in Item 3.8: Mailing Services and Printing of Auto/Vessel/Mobile Home/Parking Permit/Tag Registration Renewal Reminder Notices covering only one year of a two year contract, Ms. Singer explained Commissioner Jordan had identified an error made by staff.

Commissioner Sosa noted Item 1.1: Traffic Controller Assemblies and Related Items would use People's Transportation Plan (PTP) funds. She questioned whether the County would use the PTP funds for materials that were needed to expand the County's traffic system, Ms. Ester Calas, Director, Public Works Department, noted PTP funds would only be used on new traffic signals.

Hearing no other questions or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

801D

082526 Resolution

RESOLUTION AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX (SURTAX) AS A FUNDING SOURCE FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

*Adopted
Resolution R-1029-08
Mover: Joe A. Martinez
Seconder: Katy Sorenson
Vote: 9- 1
No: Sosa
Absent: Moss, Souto, Seijas*

Report: *Commissioner Sosa questioned whether any People's Transportation Plan (PTP) funds would be used for Miami-Dade Transit operations.*

Mr. Harpal Kapoor, Director, Miami-Dade Transit Agency, noted the PTP funds in this proposed resolution would be used for the extra Metrobus mileage as a result of the PTP initiative adopted by the voters.

Hearing no other questions or comments, the Commission proceeded to vote.

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

801E

082631 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR A NON-COMPETITIVE CONTRACT MODIFICATION FOR SECURITY GUARD AND SCREENING SERVICES IN THE AMOUNT OF \$4,900,000 AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SAME (Procurement Management Department)

Amended

Report: *See Report Under Agenda Item 801E AMENDED, Legislative File No. 091208.*

9/9/2008 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget and Finance Committee

801E AMENDED

091208 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR A NON-COMPETITIVE CONTRACT MODIFICATION FOR SECURITY GUARD AND SCREENING SERVICES IN THE AMOUNT OF \$2,962,400 AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SAME [SEE ORIGINAL ITEM UNDER FILE NO. 082631] (Procurement Management Department)

*Adopted as amended
Resolution R-1030-08
Mover: Barbara J. Jordan
Seconder: Jose "Pepe" Diaz
Vote: 10- 0
Absent: Moss, Souto, Seijas*

Report: *Ms. Miriam Singer, Director, Procurement Management Department, noted this proposed resolution should be amended to delete the Forestville Corporation from this proposed resolution and to reduce the amount the contract would increase to account for the removal of the Forestville Corporation.*

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended by Ms. Singer.

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

801F

082739 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

*Adopted
Resolution R-1031-08
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 13- 0*

801G

082740 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

*Adopted
Resolution R-1032-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

8P

PUBLIC WORKS DEPARTMENT

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

8P1A

081990 Resolution

RESOLUTION APPROVING A CONTRACT AWARD
RECOMMENDATION IN THE AMOUNT OF \$4,564,380.01
BETWEEN HORSEPOWER ELECTRIC, INC. AND MIAMI-
DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION
PLAN (PTP) PROJECT ENTITLED ADVANCED TRAFFIC
MANAGEMENT SYSTEM'S REVERSIBLE LANE CONTROL
SIGNAL SYSTEM (ATMS – RLCS) REFURBISHMENT
PROJECT ALONG NW 199 STREET, FROM NW 2 AVENUE
TO NW 27 AVENUE (PROJECT – NO. 20070587) (Public Works
Department)

Adopted

Resolution R-1033-08

Mover: Joe A. Martinez

Seconder: Carlos A. Gimenez

Vote: 10- 0

Absent: Sorenson, Moss, Souto

FINAL OFFICIAL

Report: Commissioner Heyman noted many businesses wanted to do business with the County. She questioned why this proposed resolution recommended the County award contracts to companies that were violating their County contracts.

Ms. Penelope Townsley, Director, Department of Small Business Development, explained the County sanctioned Horsepower Electric, Inc. for a contract goal deficit. She pointed out this recommended contract award was not contingent upon Horsepower Electric's open violation being closed.

In response to Commissioner Heyman's inquiry regarding a vendor without contract violations that could perform the work in this contract, Ms. Ester Calas, explained the County sent this project out to bid three times and this was the first responsive bid. She noted Horsepower Electric had a make up plan for its open violation. She pointed out that no other contract in Florida was like the work in this proposed contract.

Discussion ensued between Commissioner Heyman and Commissioner Seijas regarding the County debarring Horsepower Electric on June 15, 2005.

Responding to Commissioner Heyman's question regarding Horsepower Electric closing its contract violation before being awarded this proposed contract, Ms. Townsley noted Horsepower Electric was currently working on a County contract to provide \$74,000 to make up the \$39,000 deficit.

Commissioner Gimenez expressed concern that the original bid by Horsepower Electric was proffered on October 24, 2007. He questioned why the County Administration waited one year to recommend the award of this contract.

Ms. Calas explained that the funding source for this proposed contract included People's Transportation Plan (PTP) funds, and that all projects funded by the PTP were put on hold a year ago while the PTP was evaluated to address budget cuts.

Discussion ensued between Commission Gimenez and Ms. Calas regarding the potential for a lower bid and for additional bids if the County re-bid this proposed contract.

In response to Commissioner Gimenez's inquiry regarding the savings to the County by County staff doing some of the work, Ms. Calas noted the County would save \$300,000.

Following further discussion between Commissioner Jordan and Ms. Townsley regarding the open contract violation for Horsepower Electric, the Commission proceeded to vote.

7/9/2008 Forwarded to BCC without a recommendation from the Transit Committee

8P1A SUPPLEMENT

082811

Supplement

SUPPLEMENTAL INFORMATION REGARDING CONTRACT
AWARD RECOMMENDATION IN THE AMOUNT OF
\$4,564,380.01 BETWEEN HORSEPOWER ELECTRIC, INC.
AND MIAMI-DADE COUNTY

Presented

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

8P1B

082339 Resolution

RESOLUTION ACCEPTING A QUIT CLAIM DEED FROM FDG BEACON COUNTYLINE, LLC, A FLORIDA CORPORATION, FOR A PORTION OF TRACT 29 OF THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST (Public Works Department)

*Adopted
Resolution R-1034-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1C

082349 Resolution

RESOLUTION DECLARING THE ACQUISITION OF PROPERTY NEEDED FOR CONSTRUCTION OF THE PEDESTRIAN/ BICYCLE OVERPASS AT THE UNIVERSITY METRORAIL STATION, INCLUDING A TEMPORARY CONSTRUCTION EASEMENT FOR ONE (1) YEAR LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF US-1 (SOUTH DIXIE HIGHWAY-SR 5) AND MARIPOSA COURT, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE AND TEMPORARY CONSTRUCTION EASEMENT BY DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

*Deferred to no date certain
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8P1D

082400 Resolution

RESOLUTION DECLARING THE ACQUISITION OF PROPERTY LOCATED AT 8580 NE 2 AVENUE NEEDED FOR THE RELOCATION OF A WATER MAIN TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE, BY DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

*Adopted
Resolution R-1035-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1E

082403 Resolution

RESOLUTION DECLARING THE ACQUISITION OF PROPERTY LOCATED AT 8484 NE 2 AVENUE NEEDED FOR THE RELOCATION OF A WATER MAIN TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE, BY DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

*Adopted
Resolution R-1036-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1F

082408 Resolution

RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF SWEETWATER FOR THE PURCHASE AND DELIVERY OF TREES (NOT TO EXCEED \$20,000 FROM THE COMMUNITY IMAGE ADVISORY BOARD), TREE PLANTING WITHIN THE CITY LIMITS AND TRAINING OF CITY TREE CARE SPECIALISTS (Public Works Department)

*Adopted
Resolution R-1037-08
Mover: Joe A. Martinez
Seconder: Dennis C. Moss
Vote: 13- 0*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1G

082419 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$377,821.77 BETWEEN BCC ENGINEERING, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED SW 137 AVENUE FROM THE HOMESTEAD EXTENSION OF FLORIDA TURNPIKE TO US-1 LOCATED WITHIN COMMISSION DISTRICTS 8 & 9 (PROJECT NO. E06-PW-09 PTP; CONTRACT NO: 20040344) (Public Works Department)

*Adopted
Resolution R-1038-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8Q SEAPORT DEPARTMENT

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

8Q1A

082465 Resolution

RESOLUTION RESCINDING R-1194-98, AND AUTHORIZING EXECUTION OF A WAREHOUSE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION FOR WAREHOUSE SPACE LOCATED AT TERMINAL 10; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

*Adopted
Resolution R-1039-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8Q1B

082467 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION FOR OFFICE SPACE LOCATED AT TERMINAL 10; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREIN (Seaport Department)

*Adopted
Resolution R-1040-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8Q1C

082483 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION FOR OFFICE SPACE LOCATED AT TERMINALS D & E; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

*Adopted
Resolution R-1041-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

8R WATER AND SEWER DEPARTMENT

8R1A

082343 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR A PAD MOUNTED TRANSFORMER AND UNDERGROUND SERVICE AT WASTEWATER PUMP STATION NUMBER 641, LOCATED AT 19010 SW 119 COURT (Water & Sewer Department)

*Adopted
Resolution R-1042-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

8R1B

082344 Resolution

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO CONVEY COUNTY-OWNED PROPERTY CONSISTING OF APPROXIMATELY 245 SQUARE FEET OF LAND TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO CORRECT AN ENCROACHMENT OF APPROXIMATELY THREE FEET INTO THE RIGHT-OF-WAY OF THE PROPOSED PLAT FOR THE MIAMI INTERMODAL CENTER AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE (Water & Sewer Department)

*Adopted
Resolution R-1043-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1C

082345 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ELECTRICAL SERVICE FOR THE HIGH LEVEL DISINFECTION FACILITY AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT (Water & Sewer Department)

*Adopted
Resolution R-1044-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1D

082385 Resolution

RESOLUTION APPROVING EXECUTION OF AGREEMENT WITH THE CITY OF CORAL GABLES PROVIDING FOR THE RESTORATION OF A PORTION OF THE CORAL GABLES WATERWAY IN AN AMOUNT NOT TO EXCEED \$100,000 (Water & Sewer Department)

*Adopted
Resolution R-1045-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1E

082351 Resolution

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY ("USGS") TO STUDY ORGANIC WASTEWATER COMPOUNDS, ANTIBIOTICS, HORMONES AND PHARMACEUTICALS IN WASTEWATER, DRINKING WATER, CANALS, AND GROUNDWATER IN MIAMI-DADE COUNTY IN AMOUNT NOT TO EXCEED \$750,000 (Water & Sewer Department)

*Adopted
Resolution R-1046-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

9 ADDITIONAL DEPARTMENTAL ITEMS

9A1

082496 Resolution

RESOLUTION RATIFYING AGREEMENT WITH FLORIDA POWER & LIGHT FOR PROPERTY USE DURING THE 2008 COUNTYWIDE ELECTIONS AND AUTHORIZING SUBSTANTIALLY SIMILAR AGREEMENTS WITH FLORIDA POWER & LIGHT DURING FUTURE ELECTIONS WHERE THE NEED IS REQUIRED (Elections Department)

Adopted
Resolution R-1047-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

9A2

082506 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS IN THE AMOUNT OF \$618,000 FOR THE FLORIDA POWER AND LIGHT COMPANY RADIOLOGICAL EMERGENCY PLANNING AND PREPAREDNESS AGREEMENT TO SUPPORT OFFICE OF EMERGENCY MANAGEMENT PROGRAMS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND AMEND SUCH CONTRACTS AND AGREEMENTS AS REQUIRED; TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE UNDER THIS PROGRAM; AND TO FILE AND EXECUTE ANY NECESSARY AMENDMENTS TO ANY AGREEMENT AND TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN (Dept. of Emergency Management & Homeland Security)

Adopted
Resolution R-1048-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

9A3

082269 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES PURSUANT TO SECTION 4.03(D) OF THE HOME RULE CHARTER AND NON-COMPETITIVE BID WAIVER PROVISIONS OF SECTION 2-8.1(B) OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING EXECUTION OF A TURNKEY RELOCATION AGREEMENT FOR POINT TO POINT FIXED SERVICE BETWEEN T-MOBILE USA INC. (T-MOBILE) AND MIAMI-DADE COUNTY TO RELOCATE CERTAIN MICROWAVE FREQUENCIES OPERATED BY THE COUNTY TO NEW FREQUENCIES PURSUANT TO FEDERAL COMMUNICATION COMMISSION (FCC) ORDERS AND TO EXPEND \$30,716 TO UPGRADE ANTENNAS; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Enterprise Technology Services Department)

*Adopted**Resolution R-1049-08**Mover: Carlos A. Gimenez**Seconder: Joe A. Martinez**Vote: 9- 0**Absent: Sorenson, Moss, Souto, Seijas*

Report: *Commissioner Sosa questioned why this proposed resolution recommended waiving the formal bid procedure and the non-competitive bid waiver provisions.*

Mr. Angel Petisco, Interim Director, Enterprise Technology Services Department, noted the County Attorney advised a bid waiver was the best way for the County to execute a turn key agreement with T-Mobile for the rights to the frequencies the County used for two of its radio stations.

Hearing no other questions or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

9A4

082456 Resolution

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MIAMI-DADE COLLEGE, IN THE APPROXIMATE AMOUNT OF \$212,000, FOR FIREFIGHTER TRAINING AT MIAMI-DADE COLLEGE'S FACILITIES; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Fire and Rescue Department)

*Adopted**Resolution R-1050-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

FINAL OFFICIAL

9A5

082457 Resolution

RESOLUTION RATIFYING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEES' ACTION IN APPLYING FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY, URBAN SEARCH AND RESCUE COOPERATIVE AGREEMENT IN THE FUNDING AMOUNT OF \$1,054,179.00, AND AUTHORIZES THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACT AGREEMENTS AND AMENDMENTS TO THE APPLICATION AND THE AGREEMENTS; TO RECEIVE AND EXPEND FUNDS, AND TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN (Miami-Dade Fire and Rescue Department)

*Adopted
Resolution R-1051-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

9A6

082497 Resolution

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 4-123: MIAMI-DADE COUNTY FIRE PREVENTION FEE SCHEDULE AND APPROVING IMPLEMENTING ORDER 4-123 TO PRORATE PERMIT FEES FOR INITIAL AND ANNUAL PERMITS ACCORDING TO THE NUMBER OF MONTHS REMAINING BETWEEN THE DATE OF PERMIT ISSUANCE AND THE MONTH OF ANNUAL RENEWAL (Miami-Dade Fire and Rescue Department)

*Adopted
Resolution R-1052-08
Mover: Joe A. Martinez
Seconder: Dennis C. Moss
Vote: 13- 0*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

9A7

082289 Resolution

RESOLUTION RATIFYING AMENDMENTS TWO AND THREE TO THE CONTRACT WITH VICTIM RESPONSE, INC. FOR THE OPERATION OF THE COUNTY'S NORTHWEST DOMESTIC VIOLENCE CENTER; WAIVING THE COMPETITIVE BID PROCESS; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE AND EXERCISE THE PROVISIONS OF A CONTRACT WITH VICTIM RESPONSE, INC. FOR FISCAL YEAR 2008-2009 IN SUBSTANTIALLY THE SAME FORM AS ATTACHED (Office of Community Advocacy)

*Adopted
Resolution R-1053-08
Mover: Joe A. Martinez
Seconder: Dennis C. Moss
Vote: 13- 0*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

9B1

082522 Professional Service Agreement

RETROACTIVE AMENDMENT TO A PROFESSIONAL SERVICE AGREEMENT TO PROVIDE ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES - PROJECT NO: A05-FIRE-01; CONTRACT NO: MDFR-TR-01-02R, DESIGN SERVICES FOR THE MIAMI-DADE FIRE RESCUE TRAINING FACILITY TO SPILLIS CANDELA & PARTNERS, INC. DBA SPILLIS CANDELA DMJM: PROJECT LOCATION: 9300 NW 41 ST (DISTRICT 12) (Miami-Dade Fire and Rescue Department)

Approved
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

10A1

082498 Resolution

RESOLUTION AUTHORIZING THE PUBLIC HEALTH TRUST TO DEMOLISH THE MEMORIAL HALL BUILDING IN ORDER TO CLEAR THE LAND FOR EXPANSION OF THE AMBULATORY CARE CENTER WEST IN ACCORDANCE WITH THE APPROVED JACKSON MEMORIAL HOSPITAL FACILITIES MASTER PLAN (Public Health Trust)

Adopted
Resolution R-1054-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

10A2

082499 Resolution

RESOLUTION AUTHORIZING THE PUBLIC HEALTH TRUST TO DEMOLISH THE URGENT CARE CENTER BUILDING IN ORDER TO CLEAR THE LAND FOR CONSTRUCTION OF A NEW BED TOWER IN ACCORDANCE WITH THE APPROVED JACKSON MEMORIAL HOSPITAL FACILITIES MASTER PLAN (Public Health Trust)

Adopted
Resolution R-1055-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

11 COUNTY COMMISSION

11A RESOLUTIONS

FINAL OFFICIAL

11A1

082541

Resolution

Bruno A. Barreiro

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO INVESTIGATE AND SUBMIT REPORT ON MARINE SAFETY CONCERNS AT AND NEAR THE JUNCTION OF GOVERNMENT CUT CHANNEL, MAIN CHANNEL, FISHERMAN'S CHANNEL, MELOY CHANNEL, AND U.S. COAST GUARD CHANNEL

*Adopted
Resolution R-1056-08
Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

11A2

082346

Resolution

Jose "Pepe" Diaz,
Carlos A. Gimenez,
Sally A. Heyman,
Joe A. Martinez,
Rebeca Sosa,
Audrey M. Edmonson,
Dennis C. Moss

RESOLUTION REQUIRING THE PAYMENT OF MERIT RAISES TO EMPLOYEES ON MILITARY LEAVE, RETROACTIVE TO 1994

*Adopted
Resolution R-1057-08
Mover: Jose "Pepe" Diaz
Second: Audrey M. Edmonson
Vote: 9- 0
Absent: Jordan, Moss, Souto, Seijas*

Report: Commissioner Edmonson questioned the fiscal impact and the funding source of this proposed resolution.

Ms. Angela Maher, Director, Human Resources Department, noted the fiscal impact would be approximately \$250,000 and that this proposed resolution would apply to 30 employees.

Special Assistant to the County Manager Jennifer Glazer-Moon explained the funding source would be the different County departments where the 30 employees worked. She pointed out the County Budget may need to be amended to provide the departments the funds they needed to execute this proposed resolution.

Hearing no other questions or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

11A3

082375

Resolution

Carlos A. Gimenez

RESOLUTION WAIVING THE RESIDENCY REQUIREMENTS AND THE PROHIBITION OF SERVING ON MORE THAN TWO COUNTY BOARDS OF SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY FOR DOMESTIC VIOLENCE OVERSIGHT BOARD MEMBER APPOINTEE RONALD BOOK

Adopted

Resolution R-1058-08

Mover: Carlos A. Gimenez

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Martinez, Seijas

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

11A4

082342

Resolution

**Barbara J. Jordan,
Audrey M. Edmonson,
Sally A. Heyman,
Dennis C. Moss,
Katy Sorenson,
Sen. Javier D. Souto,
Carlos A. Gimenez,
Dorrian D. Rolle**

RESOLUTION ENCOURAGING THE LOCAL BAR ASSOCIATIONS TO REQUEST OF THEIR MEMBERS THAT THEY PROVIDE PRO BONO LEGAL ASSISTANCE TO PERSONS FACING FORECLOSURE OR WHO ARE IN FORECLOSURE

Adopted

Resolution R-1059-08

Mover: Rebeca Sosa

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

9/10/2008 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

11A5

082336

Resolution

Joe A. Martinez

RESOLUTION APPROVING THE ALLOCATION OF FY 2007-2008 UNALLOCATED GENERAL FUND DISCRETIONARY COMMUNITY-BASED ORGANIZATION FUNDING IN THE AMOUNTS OF \$2239.50 TO WEST DADE COMMUNITY SERVICES, INC. AND \$2239.50 TO HISPANIC COALITION CORP.; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AGREEMENTS AND AMENDMENTS TO THE AGREEMENTS NECESSARY TO EFFECTUATE THE ALLOCATIONS FOR AND ON BEHALF OF MIAMI-DADE COUNTY

Adopted

Resolution R-1060-08

Mover: Rebeca Sosa

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

11A6

082372**Resolution****Joe A. Martinez**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A STUDY REGARDING THE FEASIBILITY AND ADVISABILITY OF INSTALLING TIME BOARDS AT CERTAIN BUS SHELTERS IN MIAMI-DADE COUNTY

Adopted
Resolution R-1061-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

11A7

081884**Resolution****Dennis C. Moss**

RESOLUTION DIRECTING THE COUNTY MAYOR OR HIS DESIGNEE TO PREPARE AND IMPLEMENT AN EDUCATIONAL CAMPAIGN DIRECTED TO "BIG BOX" RETAIL ESTABLISHMENTS TO INFORM SUCH ESTABLISHMENTS OF POTENTIAL FINES AND VIOLATIONS RESULTING FROM THEIR FAILURE TO CLEAN AND MAINTAIN THEIR PROPERTIES ON A REGULAR BASIS

Adopted
Resolution R-1062-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

7/8/2008 Deferred by the Governmental Operations and Environment Committee

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

11A8

081520**Resolution****Dorrian D. Rolle**

RESOLUTION DIRECTING THE COUNTY MAYOR OR DESIGNEE TO REPORT WITHIN THIRTY DAYS ON THE FEASIBILITY OF MIAMI DADE COUNTY DESIGNING AND BUILDING A KIDPORT IN THE MIAMI INTERNATIONAL AIRPORT OR ALTERNATIVELY PARTNERING WITH THE CHILDREN'S TRUST OR ANOTHER SIMILARLY ORIENTED CHILD ADVOCACY GROUP TO DO SAME

Adopted
Resolution R-1063-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

6/12/2008 Deferred to next committee meeting by the Airport and Tourism Committee

7/10/2008 Deferred due to lack of a quorum by the Airport and Tourism Committee

9/11/2008 Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

11A9

082043**Resolution****Rebeca Sosa**

RESOLUTION DIRECTING THE COUNTY'S FEDERAL LOBBYING TEAM TO CLOSELY MONITOR THE DEVELOPMENT OF GRANT OPPORTUNITIES UNDER THE SECOND CHANCE ACT OF 2007 AND IDENTIFY ALL GRANT MONIES THAT ARE OR MAY BECOME AVAILABLE TO LOCAL PROGRAMS THAT FACILITATE THE RE-ENTRY OF INMATES INTO THE COMMUNITY, INCLUDING RELATED LOCAL CAPITAL IMPROVEMENT PROJECTS

Adopted
Resolution R-1064-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

11A10

082042

Resolution

Katy Sorenson

RESOLUTION THANKING GOVERNOR CRIST FOR
EVERGLADES LAND PURCHASE FOR OKEECHOBEE FLOW-
WAY

Adopted
Resolution R-1065-08
Mover: Rebeca Sosa
Seconders: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A11

082050

Resolution

Katy Sorenson,
Sally A. Heyman

RESOLUTION SUPPORTING THE CONTINUATION OF THE
FEDERAL MORATORIUM ON OFFSHORE OIL AND GAS
DRILLING TO PROTECT FLORIDA'S COAST AND TOURISM-
RELATED INDUSTRY

Withdrawn
Mover: Jose "Pepe" Diaz
Seconders: Carlos A. Gimenez
Vote: 13- 0

9/9/2008 Forwarded to BCC without a recommendation from the Budget and Finance Committee

11A12

082173

Resolution

Katy Sorenson,
Rebeca Sosa,
Jose "Pepe" Diaz

RESOLUTION OPPOSING THE STATE OF FLORIDA
LEASING ALLIGATOR ALLEY TO A PRIVATE FIRM;
OPPOSING ANY DIVERSION OF ALLIGATOR ALLEY
REVENUE AWAY FROM EVERGLADES RESTORATION AND
SOUTH FLORIDA ROAD PROJECTS; URGING THE
LEGISLATIVE BUDGET COMMISSION NOT TO APPROVE
ANY LEASE OF ALLIGATOR ALLEY; URGING THE
LEGISLATURE TO REPEAL STATUTES AUTHORIZING
FDOT TO LEASE ALLIGATOR ALLEY TO A PRIVATE FIRM

Adopted
Resolution R-1066-08
Mover: Rebeca Sosa
Seconders: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

11A13

082461**Resolution****Katy Sorenson,
Sally A. Heyman**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH A CAMPAIGN PROMOTING AND REQUESTING DONATIONS FROM MIAMI-DADE COUNTY EMPLOYEES TO THE PARKS FOUNDATION OF MIAMI-DADE, INC., A NOT-FOR-PROFIT ORGANIZATION THAT PROVIDES FINANCIAL SUPPORT TO THE MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT, AND FURTHER DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO ESTABLISH A SYSTEM BY WHICH SUCH DONATIONS CAN BE COLLECTED BY DIRECT DEPOSIT

Deferred to no date certain
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A14

082616**Resolution****Katy Sorenson**

RESOLUTION DIRECTING COUNTY MAYOR OR HIS DESIGNEE TO EXPLORE RESOLUTION OF MITIGATION PAYMENT DISAGREEMENT WITH THE TOWN OF MIAMI LAKES, VILLAGE OF PALMETTO BAY AND CITY OF DORAL [SEE ORIGINAL ITEM UNDER FILE NO. 082175]

Adopted
Resolution R-1067-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Governmental Operations and Environment Committee

11A15

082454**Resolution****County Commission**

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF FLORIDA CITY IN CONNECTION WITH THE PROPOSED ANNEXATION BY FLORIDA CITY; AUTHORIZING THE COUNTY MAYOR TO EXECUTE THE AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED AND TAKE ANY ACTION REQUIRED BY THE COUNTY HEREIN [SEE AGENDA ITEM NO. 7I]

Adopted
Resolution R-1068-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

FINAL OFFICIAL

11A16

082222

Resolution

Sally A. Heyman

RESOLUTION URGING THE FLORIDA LEGISLATURE TO INCREASE THE STATUTORY FEE FOR SERVICE OF PROCESS TO BETTER REFLECT THE ACTUAL COST OF SERVICE OF PROCESS

*Adopted
Resolution R-1069-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A17

082224

Resolution

Sally A. Heyman

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION PROVIDING TAX COLLECTORS WITH ADDITIONAL TOOLS TO COLLECT ON DELINQUENT TANGIBLE PERSONAL PROPERTY TAXES

*Adopted
Resolution R-1070-08
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 9- 0
Absent: Jordan, Moss, Souto, Seijas*

Report: *Commissioner Sosa questioned whether this proposed resolution would provide businesses with a forum to clarify any problems with delinquent property taxes.*

Ms. Rachel Baum, Director, Finance Department, noted this proposed resolution would provide a way to collect delinquent personal property taxes and to refer those taxes to an outside collection agency.

Responding to Commissioner Sosa's inquiry regarding who would pay for the tax collector to contract with a private attorney, Ms. Baum explained the attorney fee would be added to the delinquent taxes.

Commissioner Sosa expressed concern that this proposed resolution would have a negative impact on small businesses. She questioned whether the County could assist small businesses.

Mr. Geraldo Gomez, Special Administrative Officer 2, Tax Collector's Office, noted the Tax Collector would make efforts to collect delinquent taxes before the case was turned over to the private attorney. He noted Florida State Statutes authorized tax payers to make partial payments of delinquent taxes.

Commissioner Heyman pointed out the Tax Collector would contract with a private attorney to collect delinquent personal property taxes as a last resort.

Hearing no other questions or comments, the Commission proceeded to vote.

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

11A18

082354**Resolution****Sally A. Heyman**

RESOLUTION URGING CONGRESS TO PASS LEGISLATION FACILITATING LIVING ORGAN DONATIONS BY EXTENDING BENEFITS UNDER THE FAMILY MEDICAL LEAVE ACT TO COVERED EMPLOYEES WISHING TO DONATE ORGANS AND BY ALLOWING TAX CREDITS AND OTHER FINANCIAL INCENTIVES TO ASSIST DONORS IN OFFSETTING UNREIMBURSED COSTS OF DONATION

*Adopted
Resolution R-1071-08
Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A19

082625**Resolution****Rebeca Sosa,**

**Budget and Finance Committee,
Jose "Pepe" Diaz,
Carlos A. Gimenez,
Sally A. Heyman,
Joe A. Martinez,
Audrey M. Edmonson,
Barbara J. Jordan,
Dennis C. Moss,
Dorrian D. Rolle**

RESOLUTION URGING THE FLORIDA LEGISLATURE, THE FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION, AND THE FLORIDA DEPARTMENT OF ELDER AFFAIRS TO IMPLEMENT THE RECOMMENDATIONS OF THE MIAMI-DADE ELDER ABUSE TASK FORCE INCLUDING EXPRESSLY PERMITTING THE USE OF "GRANNY CAMERAS" IN NURSING HOMES TO DETER ELDER ABUSE AND NEGLECT; REQUIRING ASSISTED LIVING FACILITIES TO HAVE VITAL MEDICAL INFORMATION AVAILABLE ON STANDARDIZED FORMS 24 HOURS A DAY; AND CHANGING ADMINISTRATIVE PROCEDURE TO PROVIDE CERTIFICATION EXAMINATIONS FOR ASSISTED LIVING FACILITIES IN CREOLE IN ADDITION TO ENGLISH AND SPANISH [SEE ORIGINAL ITEM UNDER FILE NO. 082377]

*Adopted
Resolution R-1072-08
Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget and Finance Committee

11A20

081978**Resolution****Rebeca Sosa**

RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ENHANCE CUSTOMER SERVICE FOR SUNPASS VIOLATIONS BY SHARING SUNPASS CUSTOMER INFORMATION WITH THE MIAMI-DADE EXPRESSWAY AUTHORITY AND OTHER EXPRESSWAY AUTHORITIES IN FLORIDA

*Adopted
Resolution R-1073-08
Mover: Rebeca Sosa
Second: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

11A21

082163**Resolution****Dorrin D. Rolle**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO DESIGNATE N.W. 15TH AVENUE FROM N.W. 62ND STREET TO N.W. 79ST STREET AS "REV. DR. GILBERT S. SMITH AVENUE"; APPROVING SUCH DESIGNATION

*Adopted**Resolution R-1074-08**Mover: Dorrin D. Rolle**Seconder: Carlos A. Gimenez**Vote: 7- 0**Absent: Jordan, Sorenson, Moss, Souto, Martinez, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A22

082334**Resolution****Carlos A. Gimenez**

RESOLUTION APPROVING THE DESIGNATION OF THAT PORTION OF U.S. HIGHWAY 1 BETWEEN S.W. 80TH STREET AND S.W. 57TH AVENUE AS "ALL AMERICA PARKWAY"

*Adopted**Resolution R-1075-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A23

082369**Resolution****Carlos A. Gimenez**

RESOLUTION APPROVING THE DESIGNATION OF THAT PORTION OF S.W. 59TH AVENUE FROM S.W. 80TH STREET TO S.W. 72ND STREET AS "AMERICAN LEGION WAY"

*Adopted**Resolution R-1076-08**Mover: Carlos A. Gimenez**Seconder: Rebeca Sosa**Vote: 7- 0**Absent: Jordan, Sorenson, Moss, Souto, Martinez, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A24

082373**Resolution****Carlos A. Gimenez,
Rebeca Sosa**

RESOLUTION APPROVING THE DESIGNATION OF THAT PORTION OF S.W. 67TH AVENUE BETWEEN S.W. 56TH STREET AND S.W. 64TH STREET AS "RICHARD D. WARD WAY"

*Adopted**Resolution R-1077-08**Mover: Carlos A. Gimenez**Seconder: Rebeca Sosa**Vote: 7- 0**Absent: Jordan, Sorenson, Moss, Souto, Martinez, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

11A25

082338**Resolution****Joe A. Martinez**

RESOLUTION REMOVING THE DESIGNATION OF S.W.
16TH STREET AS "JOSE CANSECO STREET" FROM S.W.
102ND AVENUE TO S.W. 107TH AVENUE

*Adopted**Resolution R-1078-08**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations
and Environment Committee

11A26

082243**Resolution****Katy Sorenson**

RESOLUTION APPROVING THE STATE ROAD
DESIGNATION OF S.W. 87TH AVENUE FROM S.W. 94TH
STREET TO S.W. 95TH STREET AS "RABBI BARRY
TABACHNIKOFF AVENUE"

*Adopted**Resolution R-1079-08**Mover: Audrey M. Edmonson**Second: Carlos A. Gimenez**Vote: 7- 0**Absent: Jordan, Sorenson, Moss,
Souto, Martinez, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance
Committee

11A27

082368**Resolution****Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND
SERVICES FROM THE MIAMI-DADE PARK AND
RECREATION DEPARTMENT FOR THE SEPTEMBER 6, 2008
"RACE FOR THE AMERICAS" SPONSORED BY AMERICAN
NICARAGUAN FOUNDATION INC., A NOT-FOR-PROFIT
ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,616
TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE
FUND

*Adopted**Resolution R-1080-08**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs
Committee

11A28

082471**Resolution****Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND
SERVICES FROM THE MIAMI-DADE PARK AND
RECREATION DEPARTMENT FOR THE MARCH 1, 2008
"RELAY FOR LIFE OF KEY BISCAYNE" SPONSORED BY
THE AMERICAN CANCER SOCIETY, FLORIDA DIVISION,
INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT
NOT TO EXCEED \$866.00 TO BE FUNDED FROM THE
DISTRICT 7 IN-KIND RESERVE FUND

*Adopted**Resolution R-1081-08**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs
Committee

FINAL OFFICIAL

11A29

082478**Resolution****Audrey M. Edmonson,****Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE GENERAL SERVICES ADMINISTRATION FOR THE JULY 13, 2008 "ZO'S SUMMER GROOVE BLOCK PARTY" EVENT SPONSORED BY THE ALONZO MOURNING CHARITIES, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$500.00 TO BE FUNDED IN PART FROM THE DISTRICT 3 AND DISTRICT 5 IN-KIND RESERVE FUNDS

Adopted***Resolution R-1082-08******Mover: Rebeca Sosa******Seconder: Jose "Pepe" Diaz******Vote: 11- 0******Absent: Souto, Seijas*****9/9/2008**

Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A30

082488**Resolution****Audrey M. Edmonson,****Sally A. Heyman,****Barbara J. Jordan,****Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE "ANNUAL JULY 4TH INDEPENDENCE DAY CELEBRATION" SPONSORED BY THE CITY OF NORTH MIAMI IN AN AMOUNT NOT TO EXCEED \$2,826.00 TO BE FUNDED IN PART FROM DISTRICT 1, DISTRICT 2, DISTRICT 3 AND DISTRICT 4 IN-KIND RESERVE FUNDS AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

Adopted***Resolution R-1083-08******Mover: Rebeca Sosa******Seconder: Jose "Pepe" Diaz******Vote: 11- 0******Absent: Souto, Seijas*****9/9/2008**

Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

11A31

082473**Resolution****Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI DADE FIRE RESCUE DEPARTMENT FOR THE AUGUST 6, 2008 "RICK ROSS BE OUT DAY" EVENT SPONSORED BY RICK ROSS CHARITIES, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,456.00 TO BE FUNDED IN PART FROM THE DISTRICT 1 IN-KIND RESERVE FUND, AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

Adopted***Resolution R-1084-08******Mover: Rebeca Sosa******Seconder: Jose "Pepe" Diaz******Vote: 11- 0******Absent: Souto, Seijas*****9/9/2008**

Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

11A32

082374**Resolution****Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE AUGUST 16, 2008 "BACK TO SCHOOL & STOP THE VIOLENCE" EVENT SPONSORED BY THE NORTH DADE COMMUNITY CHURCH/SUNSHINE DAYCARE/SUNSHINE LEARNING CENTER, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$716.00 TO BE FUNDED FROM THE DISTRICT 1 IN-KIND RESERVE FUND

Adopted
Resolution R-1085-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A33

082484**Resolution****Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE AUGUST 9, 2008 "BACK TO SCHOOL CHAMPIONS" EVENT SPONSORED BY THE UDONIS HASLEM CHILDREN'S FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$716.00 TO BE FUNDED FROM THE DISTRICT 1 IN-KIND RESERVE FUND

Adopted
Resolution R-1086-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A34

082476**Resolution****Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM MIAMI-DADE TRANSIT FOR THE DECEMBER 20, 2007 "BAYSIDE OUTING" EVENT SPONSORED BY PALMER HOUSE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$328.00 TO BE FUNDED FROM THE DISTRICT 11 IN-KIND RESERVE FUND

Adopted
Resolution R-1087-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

FINAL OFFICIAL

11A35

082479**Resolution****Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE FIRE RESCUE DEPARTMENT AND MIAMI-DADE POLICE DEPARTMENT FOR THE MARCH 1-2, 2008 "AIR SHOW" SPONSORED BY WINGS OVER MIAMI MUSEUM, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$9,456.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND, AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

*Adopted**Resolution R-1088-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

11A36

082480**Resolution****Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE OCTOBER 31, 2007 "HARVEST FESTIVAL" EVENT SPONSORED BY THE MIAMI BAPTIST CHURCH, INC. A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$776.00 TO BE FUNDED FROM THE DISTRICT 11 IN-KIND RESERVE FUND

*Adopted**Resolution R-1089-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A37

082489**Resolution****Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE SEPTEMBER 13, 2008 "CHILDREN'S TRUST 2008 FAMILY EXPO" SPONSORED BY THE CHILDREN'S TRUST, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,408.00 TO BE FUNDED IN PART FROM THE DISTRICT 11 IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

*Adopted**Resolution R-1090-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

11A38

082475

Resolution

Dorrin D. Rolle

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT FOR THE JUNE 13-15, 2008 "33RD ANNUAL NORTHWEST TRACK AND FIELD CLASSIC" SPONSORED BY MIAMI NORTHWEST EXPRESS TRACK CLUB, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$6,863.00 TO BE FUNDED IN PART FROM THE DISTRICT 2 IN-KIND RESERVE FUND

*Adopted**Resolution R-1091-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/11/2008 Forwarded to BCC with a favorable recommendation from the Health and Public Safety Committee

11A39

082472

Resolution

Katy Sorenson

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JULY 12, 2008 "FOOTBALL CLINIC" SPONSORED BY THE OPTIMIST CLUB OF KENDALL HAMMOCKS, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$746.00 TO BE FUNDED FROM THE DISTRICT 8 IN-KIND RESERVE FUND

*Adopted**Resolution R-1092-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A40

082490

Resolution

Rebeca Sosa

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE DECEMBER 21, 2007 "ANNUAL GREEN AND GOLD FOOTBALL GAME" SPONSORED BY WEST MIAMI MIDDLE COMMUNITY SCHOOL, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,582.00 TO BE FUNDED FROM THE DISTRICT 6 IN-KIND RESERVE FUND

*Adopted**Resolution R-1093-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A41

082477

Resolution

Rebeca Sosa

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JULY 19 THROUGH JULY 26, 2008 "UOTS CANCER CAMP" SPONSORED BY MIAMI CHILDREN'S HOSPITAL, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,675.00 TO BE FUNDED FROM THE DISTRICT 6 IN-KIND RESERVE FUND

*Adopted**Resolution R-1094-08**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

FINAL OFFICIAL

11A42

082470**Resolution****Sen. Javier D. Souto**

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE SEPTEMBER 27, 2008 "FERIA DE SALUD: POR TU FAMILIA" EVENT SPONSORED BY THE AMERICAN DIABETES ASSOCIATION, INC. A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,526.00 TO BE FUNDED FROM THE DISTRICT 10 IN-KIND RESERVE FUND

*Adopted**Resolution R-1095-08**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas***9/8/2008**

Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A43

082644**Resolution****Joe A. Martinez**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT 11 DISTRICT DISCRETIONARY RESERVE FUNDS IN THE AMOUNT OF \$500 EACH TO 19 SCHOOLS IN DISTRICT 11

*Adopted**Resolution R-1096-08**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

11A44

082704**Resolution****Joe A. Martinez**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 11

*Adopted**Resolution R-1097-08**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

11A45

082638**Resolution****Audrey M. Edmonson**

RESOLUTION URGING CONGRESS TO APPROVE \$300 MILLION IN EMERGENCY DISASTER ASSISTANCE TO HAITI IN LIGHT OF DESTRUCTION CAUSED BY HURRICANE IKE AND OTHER RECENT STORMS; URGING THE BUSH ADMINISTRATION TO GRANT TEMPORARY PROTECTED STATUS TO HAITIAN NATIONALS SEEKING REFUGE IN THE U.S.

Withdrawn

Report: (SEE AGENDA ITEM 11A45 SUBSTITUTE; LEGISLATIVE FILE NO. 082889.)

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

11A45 SUBSTITUTE

082889

Resolution

**Audrey M. Edmonson,
Sally A. Heyman,
Jose "Pepe" Diaz,
Barbara J. Jordan,
Dennis C. Moss**

RESOLUTION URGING THE BUSH ADMINISTRATION TO GRANT TEMPORARY PROTECTED STATUS TO HAITIAN NATIONALS SEEKING REFUGE IN THE U.S. AND COMMENDING CONGRESS FOR APPROVING \$100 MILLION IN EMERGENCY DISASTER ASSISTANCE TO HAITI IN LIGHT OF DESTRUCTION CAUSED BY HURRICANE IKE AND OTHER RECENT STORMS (SEE ORIGINAL ITEM UNDER FILE NO. 082638)

*Adopted
Resolution R-1098-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

11A46

082730

Resolution

Sally A. Heyman

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 4

*Adopted
Resolution R-1099-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

11A47

082794

Resolution

Natacha Seijas

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 13

*Adopted
Resolution R-1100-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

11A48

082882

Resolution

Rebeca Sosa

RESOLUTION URGING THE GOVERNOR, FLORIDA DEPARTMENT OF ELDER AFFAIRS AND FLORIDA LEGISLATURE NOT TO REDUCE FUNDING TO CRITICAL PROGRAMS FOR THE ELDERLY

*Adopted
Resolution R-1101-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

11 B ADDITIONAL BUDGET ALLOCATIONS

11B1

082935 Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 1)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY) 2008/09 District 1 Discretionary Reserve funds as requested by Vice-Chairwoman Jordan.*

\$5,000 to Pentecostal Tabernacle Church (for the Pen Tab Academy)

\$169 to Diaspora Arts Coalition (for District 1 Hispanic Heritage Month Celebration related activities)

\$2,500 to M. Athalie Range Cultural Arts Foundation (for the 13th Annual Musical Celebration)

\$100 to Nigerian American Foundation (for the 48th Independence Celebration)

\$2,500 to City of Opa-locka (for the First Annual Family Fall Costume Ball Under the Stars)

\$1,500 to The Jamaican Nurses Association (for the 25th Anniversary Celebration)

\$1,000 to People United To Lead the Struggle For Equality (for the 2008 Annual Community Awards Gala)

\$5,000 to Dolphin Stadium (for the 2008 Family Fall Festival)

\$1,500 to Florida A&M University (to benefit the President's Inauguration Scholarship Fund)

\$1,500 to Carrie P. Meek Foundation (for the Men to Men Dialogue – a Community Conversation Addressing Violence Against Women)

\$5,000 to Voices for Children Foundation (for the 14th Annual Be A Voice Awards Luncheon)

FINAL OFFICIAL

11B2

082937 Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 2)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 2 Discretionary Reserve Funds as requested by
Commissioner Rolle.*

*\$1,000 to Salter Chapel African Methodist Episcopal Church
\$10,000 to Voices for Children Foundation, Inc. (table of 10 1,250)
\$5,000 to Northwest Christian Academy
\$7,891 to 7 Star Transportation, Inc. (Haitian Mayors)
\$900 New Shiloh Missionary Baptist Church – Banquet & Sponsorship
\$5,000 to North Miami Police Athletic League
\$1,500 to Greater Miami Service Corps – Banquet & Sponsorship
\$5,000 to M. Athalie Range Cultural Art Foundation, Inc.
\$1,000 to NAACP Miami-Dade Branch – Banquet & Sponsorship
\$5,000 to North Miami Beach Sundevils Football and Cheerleading Program
– Optimist
\$1,500 to South Florida AFL-CIO – Banquet & Sponsorship
\$1,150 to Progressive Firefighters Associations, Inc. – Banquet & Sponsorship
\$5,000 to Dr. Jose A. Marques Endowment Fund @ FIU
\$3,000 to Lauren's Kids, Inc.*

11B3

082938 Report

ALLOCATION OF (FY) 2008/09 COUNTY SERVICES
RESERVE FUNDS (DISTRICT 3)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 3 County Services Reserve Funds as requested by
Commissioner Edmonson.*

*\$20,000 to Haitian American Citizenship and Voter Education Center, Inc.
\$20,000 to Curley's House of Style, Inc.
\$15,000 to Allapattah – Wynwood Community Development Center, Inc.
\$15,000 to Allapattah Community Action, Inc.
\$15,000 to Haitian American Alliance Youth Foundation, Inc.*

11B4

082939 Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 3)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 3 Discretionary Reserve Funds as requested by
Commissioner Edmonson.*

*\$11,500 to M. Athalie Range Cultural Arts Foundation, Inc.
\$5,000 to Voices for Children Foundation, Inc.
\$5,000 to Little Haiti Housing Association
\$3,892 to The Urban Jubilee Centennial Corporation
\$3,000 to The Task Force Foundation
\$2,000 to FIU Foundation (The Dr. Jose A. Marques Endowment)
\$1,500 to NAACP Miami-Dade Branch
\$1,500 to People United to Lead the Struggle for Equality, Inc.
\$1,000 to Theodore Roosevelt Gibson Memorial Fund, Inc.
\$750 to Dade County Chapter of Links, Inc.*

11B5

082940 Report

REIMBURSEMENT FROM COMMUNITY-BASED
ORGANIZATION FUNDS - COUNTY SERVICES RESERVE
FUNDS (DISTRICT 4)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were reimbursed from District 4
Community Based Organization – County Services Reserve Funds as
requested by Commissioner Heyman.*

*\$2,000 from Miami Children's Museum
\$250 from Village of Biscayne Park
\$100 from A House for You*

11B6

082941 Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 4)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 4 Discretionary Reserve Funds as requested by
Commissioner Heyman.*

\$2,500 to Children's Home Society of Florida

\$10,000 to Best Buddies

\$5,000 to FIU Foundation (The Dr. Jose A. Marques Endowment

11B7

082942 Report

ALLOCATION OF (FY) 2008/09 DISTRICT COUNTY
SERVICES RESERVE FUNDS (DISTRICT 4)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 4 County Services Reserve Funds as requested by
Commissioner Heyman.*

\$250 to American Heart Association (Heart Walk)

\$250 to Rams Baseball Booster Club

\$1,000 to St. Agatha c/o St. Agatha Home and School Association

FINAL OFFICIAL

11B8

082943 Report

ALLOCATION OF (FY) 2008/09 COUNTY SERVICES
RESERVE FUNDS (DISTRICT 5)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY) 2008/09 District 5 County Services Reserve Funds as requested by Chairman Barreiro.*

\$500 to Dr. Rafael A. Peñalver Clinic, Inc., for the outreach programs

\$500 to Historical Museum of Southern Florida

\$500 to The Art of its Sister Cities

\$1,000 to US Haiti Relief

*\$1,000 to Galata, Inc., for the 2008 National Leadership Conference of
Haitian Mayors*

\$5,000 to American Heart Association for the Heart Walk

\$2,500 to American Society for Public Administration South Florida Chapter

11B9

082944 Report

ALLOCATION OF (FY) 2008/09 COUNTY SERVICE FUNDS
(DISTRICT 6)

Approved

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

*Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *For the record, Commissioner Sosa clarified her motion made for allocations at the September 16, 2008, Board of County Commissioners' meeting as follows:*

Commissioner Sosa rescinded an erroneously allocation made for Humanitarian Aid to Countries in the Caribbean in the amount of \$2,000, as this is not an organization. Instead, it should reflect a contribution to World Vision in the amount of \$1,000. In addition, Commissioner Sosa made a donation of \$1,000 to Hermanitas de la Caridad. The total allocation is \$2,000, not the \$4,000 made on September 16, 2008.

FINAL OFFICIAL

11B10

082945 Report

**ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 8)**

Approved

Mover: Sally A. Heyman

Seconder: Rebeca Sosa

Vote: 7- 0

***Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez***

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 8 Discretionary Reserve Funds as requested by
Commissioner Sorenson.*

*\$5,000 to Voices for Children, Inc. – 14th Annual “Be a Voice” Awards
Luncheon*

*\$645 to Community Partnership for the Homeless, Inc. – Providing
transportation for Halloween Event for Children*

\$1,466 to Town of Cutler Bay – Providing funding for Community Event

*\$5,000 to Everglades Coalition, Inc. (Providing funding for event on January
8 – 11, 2009)*

*For the record, Commissioner Sorenson asked that the following allocation
made on January 25, 2007, be rescinded:*

\$2,500 to International Women’s Forum

11B11

082946

Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 9)

*Approved**Mover: Sally A. Heyman**Second: Rebeca Sosa**Vote: 7- 0**Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez*

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 9 Discretionary Reserve Funds as requested by
Commissioner Moss.*

*\$10,000 to Greater Goulds Optimist Club for operational support**\$15,000 to Richmond Heights Homeowner Association for operational support**\$4,125 to Richmond Heights Homeowner Association for the 2008 Holiday
Pole Decorations**\$5,000 to Sweet Vine, Inc., for operational support**\$2,500 to The Florida International University Foundation, Inc., for the Dr.
Jose A. Marques Endowment to support students in the Department of
Criminal Justice and the College of Law at FIU**\$500 to Mt. Calvary National Church of God, Inc., for a Gold Sponsorship**\$1,500 to Sunrise Community, Inc., for the Sunrise Magnolia Gala to support
the Green House Project**\$1,500 to My Perfect Image, Inc., for operational support**\$3,000 to South Ridge Spartans Touchdown Club, Inc., for operational support**\$5,000 to Making Strides Against Breast Cancer Walk**\$1,000 to Haitian American Historical Society for the First Anniversary
Ceremony for the Memorial Monument**\$500 to Peoples United to Lead the Struggle for Equality, Inc., for the 2008
Annual Community Awards Gala Ceremony**\$1,500 to Miami-Dade Branch NAACP for the 20th Annual Freedom Fund
Celebration**\$1,000 to The M. Athalie Range Cultural Arts Foundation, Inc., for the 13th
Annual Musical Celebration of Life**\$5,000 to Voices for Children Foundation, Inc., for the 14th Annual Be a
Voice Awards Luncheon**\$1,500 to Florida A&M University for the Inauguration of FAMU 10th
President, Dr. James H. Ammons**\$5,000 to Kinad, Inc., for operational support**\$15,000 to Goulds Coalition of Ministers & Lay People, Inc., for operational
support**\$15,000 to Headquarters Southridge Civil Air Patrol for operational suppo*

FINAL OFFICIAL

11B12

082947 Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 12)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

Report: *The following funding allocations were made from fiscal year (FY)
2008/09 District 12 Discretionary Reserve Funds as requested by
Commissioner Diaz.*

\$5,000 to Voices for Children Foundation
\$500 to Miami Dade County Sister Cities Program
\$5,000 to March of Dimes – Chefs & Wine Extravaganza
\$9,000 to Sedano's – District 12 Thanksgiving Event
\$5,000 to American Cancer Society (Olge Fulgueira)
\$5,000 to American Heart Association (Paul Hernandez, Jr.)
\$5,000 to Florida International University Foundation, Inc., for the Dr. Jose
A. Marques Endowment

11B13

082948 Report

ALLOCATION OF (FY) 2008/09 OFFICE BUDGET FUNDS
(DISTRICT 12)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

Report: *The following funding allocation was made from fiscal year (FY)
2008/09 District 12 Office Budget Funds as requested by Commissioner Diaz.*

\$1,500 to Here's Help, Inc., Ad

11B14

082949 Report

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 13)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

Report: *The following funding allocation was made from fiscal year (FY)
2008/09 District 13 Discretionary Reserve Funds as requested by
Commissioner Seijas.*

\$5,000 to Florida International University Foundation, Inc., for the Dr. Jose
A. Marques Endowment

11C REPORTS

12 COUNTY MANAGER

12B1

082332 Report

PEOPLE'S TRANSPORTATION PLAN 90-DAY REPORT 3RD
QUARTER FISCAL YEAR 2007-2008 (County Manager)

*Accepted**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/10/2008 Report Received by the Transit Committee

12B2

082547 Report

STATUS REPORT - HOMESTEAD AIR SHOW (County Manager)

*Accepted**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/11/2008 Report Received by the Airport and Tourism Committee

12B3

082521 Report

BUILDING BETTER COMMUNITIES GENERAL
OBLIGATION BOND (BBC-GOB) PROGRAM QUARTERLY
STATUS REPORT - SECOND QUARTER FY-08 (JANUARY 1 -
MARCH 31, 2008) (County Manager)

*Accepted**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/9/2008 Report Received by the Governmental Operations and Environment Committee

12B4

082401 Report

REPORT ON THE FEASIBILITY OF PROVIDING WATER TO
THE CITY OF NORTH MIAMI ON A WHOLESALE BASIS
(County Manager)

*Accepted**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/9/2008 Report Received by the Governmental Operations and Environment Committee

12B5

082357 Report

SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES
AT ADULT ATHLETIC EVENTS MONTHLY REPORT (County
Manager)

*Accepted**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

9/8/2008 Report Received by the Recreation & Cultural Affairs Committee

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

12B6

082502 Report

REPORT TO THE BOARD OF COUNTY COMMISSIONERS
ON THE PUBLIC HEALTH TRUST'S AUDITED FINANCIAL
RESULTS FOR FISCAL YEAR ENDING SEPTEMBER 30TH,
2007 (County Manager)

Accepted

Mover: Rebeca Sosa

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

9/11/2008 Report Received by the Health and Public Safety Committee

12B7

082086 Report

PET HOTELS AT MIAMI INTERNATIONAL AIRPORT (County
Manager)

Accepted

Mover: Rebeca Sosa

Seconder: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

7/10/2008 Deferred due to lack of a quorum by the Airport and Tourism Committee

9/11/2008 Report Received by the Airport and Tourism Committee

12B8

082559

Report

HOUSEHOLD DEPENDENT SURVEY (County Manager)

*Not Accepted**Mover: Jose "Pepe" Diaz**Seconder: Natacha Seijas**Vote: 7- 0**Absent: Jordan, Rolle,
Edmonson, Sorenson, Moss,
Souto*

Report: Commissioner Diaz pointed out the consultant for the County's Household Dependent Survey agreed that the County would not incur any costs to extend healthcare benefits to all household dependents of County employees, however, the County Administration had stated the County would incur costs. He noted the last sentence of the consultants report stated the County would incur incrementing costs. He expressed concern that this report included coverage for the elderly, notwithstanding the Commission directed the elderly be excluded. Commissioner Diaz explained he would continue to address this issue through the County Attorney.

Commissioner Martinez noted this issue of extending healthcare benefits to all household dependents of County employees was pushed back on May 20, 2008, because of Ordinance 08-61 regarding healthcare benefits for the domestic partners of County employees. He stressed that he pointed out in May that this report would recommend against extending healthcare benefits to all household dependents of County employees.

Commissioner Seijas noted she would co-sponsor future legislation put forward by Commissioner Diaz on the issue of healthcare benefits for all household dependents of County employees. She noted she would never stop fighting for this issue.

Commissioner Sosa noted she would co-sponsor future legislation put forward by Commissioner Diaz on the issue of healthcare benefits for all household dependents of County employees.

Hearing no other questions or comments, the Commission proceeded to vote.

9/16/2008 Deferred by the Board of County Commissioners

12B8 SUPPLEMENT

082898

SupplementSUPPLEMENTAL INFORMATION RE: HOUSEHOLD
DEPENDENT SURVEY*Not Accepted**Mover: Jose "Pepe" Diaz**Seconder: Natacha Seijas**Vote: 7- 0**Absent: Jordan, Rolle,
Edmonson, Sorenson, Moss,
Souto***13****COUNTY ATTORNEY****14****ITEMS SUBJECT TO 4-DAY RULE**

14A1

082853

Resolution

Joe A. Martinez

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE MEMORANDA OF UNDERSTANDING WITH PARTNERS FOR THE PROVISION OF SERVICES AT THE COUNTY'S COORDINATED VICTIMS ASSISTANCE CENTER ("CVAC"); AND AUTHORIZING THE EXECUTION OF LEASES, IN SUBSTANTIALLY THE SAME FORM AS ATTACHED WITH THE IDENTIFIED PARTNERS THAT WILL PROVIDE SERVICES ON SITE AT THE CVAC

*Adopted**Resolution R-1102-08**Mover: Joe A. Martinez**Seconder: Katy Sorenson**Vote: 13- 0*

14A2

082876

Resolution

Audrey M. Edmonson

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO ALLOW COUNTY EMPLOYEES TO CONTRIBUTE THE VALUE OF ACCRUED ANNUAL AND HOLIDAY LEAVE TIME TO THE COUNTY'S EMERGENCY DISASTER RELIEF FUND AUTHORIZED BY RESOLUTION R-1071-05 FOR THE PURPOSE OF ASSISTING VICTIMS OF HURRICANE IKE IN TEXAS; SETTING THE CAP OF SUCH CONTRIBUTIONS AT \$250,000; AUTHORIZING THE COUNTY MANAGER TO ARRANGE FOR THE ALLOCATION OF FUNDS FROM THE VARIOUS DEPARTMENTS TO THE COUNTY'S EMERGENCY DISASTER RELIEF FUND; AND AUTHORIZING THE COUNTY MANAGER TO MAKE THE CONTRIBUTION FROM THE COUNTY'S EMERGENCY DISASTER RELIEF FUND TO THE AMERICAN RED CROSS TO AID IN THE RECOVERY FROM HURRICANE IKE IN TEXAS ON BEHALF OF THE EMPLOYEES OF MIAMI-DADE COUNTY

*Adopted**Resolution R-1103-08**Mover: Audrey M. Edmonson**Seconder: Barbara J. Jordan**Vote: 13- 0*

15

CLERK OF THE BOARD

15B

REPORTS

15B1

082706

Report

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON OCTOBER 7, 2008
(Clerk of the Board)

*Approved**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 11- 0**Absent: Souto, Seijas*

FINAL OFFICIAL

15B2

082707 Report

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD

APRIL 8, 2008 (REGULAR MEETING) (Clerk of the Board)

Approved

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

15B3

082708 Report

CERTIFICATE OF COUNTY CANVASSING BOARD FOR THE CUTLER BAY SPECIAL ELECTION HELD ON SEPTEMBER 18, 2008 (Clerk of the Board)

Approved

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

15B4

082709 Report

RESOLUTION 08-38 OF THE CITY OF FLORIDA CITY, FLORIDA COMMISSION, WITH ATTACHMENT(S), EXPRESSING ITS SUPPORT OF SPECIFIC BOUNDARY MODIFICATIONS TO THE MIAMI-DADE COUNTY ENTERPRISE ZONE AS ALLOWED UNDER THE FLORIDA ENTERPRISE ZONE ACT; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS AS STATED HEREIN; AND ESTABLISHING AN EFFECTIVE DATE (Clerk of the Board)

Accepted

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

15C COUNTY ADVISORY BOARD APPOINTMENTS

15C1

082710 Nomination

APPOINTMENT OF MEMBER TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL OF MIAMI-DADE COUNTY

GUSTAVO ROIG (Clerk of the Board)

Appointed

Mover: Rebeca Sosa

Second: Jose "Pepe" Diaz

Vote: 11- 0

Absent: Souto, Seijas

15C2

082918 Report

APPOINTMENT OF MEMBER TO THE ENTERPRISE ZONE ADVISORY COUNCIL OF MIAMI-DADE COUNTY RAFAEL PEREZ

Appointed

Mover: Sally A. Heyman

Second: Rebeca Sosa

Vote: 7- 0

Absent: Jordan, Rolle, Sorenson, Moss, Souto, Martinez

15C3

082919 Report

REAPPOINTMENT OF MEMBER TO THE SAFE
NEIGHBORHOOD PARKS CITIZENS OVERSIGHT
COMMITTEE OF MIAMI-DADE COUNTY HOWARD
LEVRANT

Appointed
Mover: Sally A. Heyman
Second: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

15C4

082920 Report

APPOINTMENT OF MEMBER TO THE VIZCAYA MUSEUM
AND GARDENS TRUST OF MIAMI-DADE COUNTY MEGAN
KELLY

Appointed
Mover: Sally A. Heyman
Second: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

15C5

083128 Report

APPOINTMENT OF MEMBER TO THE METRO MIAMI
ACTION PLAN TRUST NOMINATING COUNCIL ANNETTE
JENKINS

Appointed
Mover: Sally A. Heyman
Second: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

15C6

083129 Report

APPOINTMENT OF MEMBER TO THE METRO MIAMI
ACTION PLAN TRUST NOMINATING COUNCIL BILL DIGGS

Appointed
Mover: Sally A. Heyman
Second: Rebeca Sosa
Vote: 7- 0
Absent: Jordan, Rolle, Sorenson,
Moss, Souto, Martinez

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

**15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-
KIND RESERVE FUNDS**

16 ITEMS SCHEDULED FOR THURSDAY

16A SPECIAL PRESENTATIONS (Scheduled for 8:00 a.m.)

16B POLICY MATTERS FOR DISCUSSION BY THE BOARD

FINAL OFFICIAL

Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

16B1

082826

Discussion Item

Dennis C. Moss

NOVEMBER 2008 ELECTION

Presented

Report: First Assistant County Attorney Abigail Price-Williams read the foregoing discussion item into the record.

Mr. Lester Sola, Supervisor of Elections, Elections Department, noted the Elections Department had aggressively prepared for the November 4, 2008, election since May 3, 2007, when Florida Governor Charlie Crist signed into law the requirement to change voting equipment. He stressed that the Elections Department was testing voting equipment, training personnel, and maximizing resources to ensure the November election would be successful. He noted October 6, 2008, was the last day to register to vote in November, and the department stayed open until midnight to ensure everyone had the opportunity to register. Mr. Sola explained the County was heavily publicizing absentee and early voting. He pointed out the Elections Department would mail over 111,000 absentee ballots on October 8, 2008. He noted the Elections Department would open 20 early voting sites for eight hours per day.

Commissioner Moss questioned whether the State was still sending the County voter registration applications to process from other Florida counties.

Mr. Sola explained the Elections Department had processed every voter registration application by Sunday, October 5, 2008. He noted the State started sending the applications to the County with little notice. He suggested the State had stopped sending the applications since the deadline to register for the November election had passed.

Commissioner Moss requested Mr. Sola explain the issue of photo identification (ID) when voting.

Mr. Sola noted the "No Match No Vote" law required potential voters to provide at the time of registration, or when changing information on their voter registration card, their Florida driver's license or Florida ID number or the last four digits of their social security number, if they had that information at the time of registering or changing information. He explained that the State could verify the driver's license, Florida ID, or social security number, and if the number provided did not match the number on the registration, then those voters would be considered unverifiable. The State would notify the Elections Department of these unverified voters, and he would provide the unverified voters a letter regarding the deficiency in their application, Mr. Sola noted. He explained that voters who remained unverified when they went to vote would be provided a provisional ballot, and the voter would have two additional days to clear up the unverified information. He noted voters could go to the Elections Department and correct any unverified information for free. Mr. Sola clarified voters needed a photo ID at the polls to validate the identity of the voter. He pointed out the Elections Department sent unverified voter notification to 1,800 people, and voters needed to clear up the unverified information before Election Day to avoid voting on a provisional ballot.

In response to Commissioner Heyman's question whether the Office of Neighborhood Compliance could provide resources to help resolve unverified information, Mr. Sola explained voters could fax or mail the information to the Elections Department.

Discussion ensued between Commissioner Moss and Mr. Sola regarding the number of absentee ballots requested in 2008 versus the number issued for previous elections, and the expected time when vote results would be released.

FINAL OFFICIAL

Commissioner Moss questioned how the process for counting the ballots was managed.

Mr. Sola explained every voting precinct would send the voted and spoiled ballots and the electronic media with a paper tape to 20 collection centers in the County. He noted the collection centers reconciled the precinct results and then electronically transmitted the results to the Elections Department. He explained that, following electronic transmission, a police officer brought the voted ballots and the electronic media to the Elections Department, and the department checked the results two times, and then the department released the results. Mr. Sola noted the Elections Department would start auditing the November 4 election results on November 5 at 6:00 a.m.

Responding to Commissioner Jordan's inquiry regarding the verification of the driver's license and social security numbers, Mr. Sola explained the State verified that those numbers matched the voter registration card. He explained that voters had to present a photo ID at the polls to vote, and that the photo ID could be a driver's license, school ID, military ID, passport, or even a combination of ID to provide a photo and a signature.

Following Commissioner Jordan clarifying that voters did not have to have a matching address on their registration card and their photo ID at the time of voting; the photo ID was to verify the identify of the voter only, Mr. Sola noted Commissioner Jordan was correct.

Commissioner Jordan noted individuals were told that because they were not registered for a political party they could not vote. Commissioner Jordan asked the Supervisor of Elections to ensure that any misinformation regarding a citizen's ability to vote were resolved before the November 4, 2008, election.

In response to Commissioner Jordan's inquiry regarding the State reimbursing the Elections Department for its work to help process voter registration cards from other areas of the state, Mr. Sola noted reimbursement for the assistance was the department's top legislative priority. He pointed out the State still had \$67 million to fund voter registration.

Commissioner Jordan questioned whether the number of early voting sites could be expanded.

Mr. Sola noted Florida State Statutes required early voting sites be a public library or a city hall. He pointed out voter participation did not increase when the number of early voting sites increased, however, the resources at each early voting site had been doubled. He expressed concern that control over the voting would be lost with additional sites.

Responding to Commissioner Sosa's comments regarding the perception created by Hispanic radio stations that the Elections Department was unable to count ballots and to determine a winner, Mr. Sola explained the Elections Department would not open absentee ballots that were submitted on Election Day until the department had verified that the voters on the absentee ballots had not voted at their voting precincts that same day. He noted the Elections Department would inform the community that their votes would be counted, and that this process was to ensure that no one double voted.

Commissioner Sosa expressed concern regarding the State encouraging all voters to vote absentee.

FINAL OFFICIAL

In response to Commissioner Sorenson's inquiry regarding registered voters being purged from the registered voter rolls if they did not vote for four years, Mr. Sola noted the State Supervisor of Elections did not purge the registered voter rolls anymore. He explained that registered voters were placed in an inactive file if registered voters did not vote in the last general election and correspondence mailed to the registered voters from the Supervisor of Elections was returned by the United States Postal Service indicating the registered voters no longer lived at that address. He emphasized that voters in the inactive file were not impeded from casting a ballot.

Responding to Commissioner Sorenson's question regarding voters checking their registration status on the internet, Mr. Sola noted the Elections Department website could track an absentee ballot and a voters' registration status. He pointed out voters could call 3-1-1 to check their registration status, too.

Commissioner Sorenson questioned whether voters could vote if they had outstanding traffic tickets.

Mr. Sola indicated voters could vote if they had outstanding traffic tickets.

Commissioner Sorenson questioned whether voters could cast their ballot if they were wearing campaign paraphernalia at the voting site.

Mr. Sola noted voters could wear campaign paraphernalia while they were actively voting, which included the following: standing in line, signing their name, and casting a ballot. He emphasized that a voter must exit the voting site after casting his or her ballot.

Commissioner Sorenson clarified that voters could wear campaign paraphernalia, but not distribute campaign materials.

Responding to Commissioner Sorenson's inquiries regarding ability to vote for voters who had not received their voter registration cards or who did not include enough postage on their absentee ballot, Mr. Sola noted voters could vote if they had not received their voter registration cards, and the Elections Department had an agreement with the United States Postal Service that absentee ballots would be returned to the department. He noted a first class stamp would get the absentee ballot to the Elections Department.

Commissioner Sorenson pointed out that voters voting absentee had to sign their ballots and their signatures had to match the signature on file.

Commissioner Edmonson questioned whether campaign workers were aware that voters could wear campaign paraphernalia when they voted.

Mr. Sola pointed out poll workers were from the community. He noted the Elections Department had a network of troubleshooters to aggressively pursue complaints and to immediately correct them.

Commissioner Diaz questioned whether the Elections Department could prepare a public service campaign regarding the need for voters to sign their absentee ballots.

Chairman Barreiro questioned whether individuals assisting voters could wear campaign paraphernalia while providing that assistance.

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Assistant County Attorney Oren Rosenthal advised an individual could wear campaign paraphernalia while assisting a voter if the individual was signed up to provide that assistance, was actively helping the voter, and was not disturbing the voting process. He further advised that a party poll watcher and a poll worker could not wear campaign paraphernalia. He clarified anyone temporarily in a voting site for the sole purpose of voting or for providing specific assistance for a specific person could wear campaign paraphernalia.

Chairman Barreiro noted the rules needed to be applied equally for all candidates and issues.

Commissioner Jordan questioned whether individuals could wear campaign paraphernalia at a voting site if their assistance had been requested by 10 or 15 different people. She expressed concern that individuals would abuse the ability to provide assistance to voters and to wear campaign paraphernalia at a voting site. Commissioner Jordan asked the Supervisor of Elections to provide her with clear information on whether a person that was assisting a large number of registered voters to vote could wear campaign paraphernalia at polling places.

In response to Commissioner Diaz's request for clarification regarding individuals signing up to provide assistance to voters, Mr. Sola clarified anyone could provide assistance to a voter, as long as the voter and the individual providing assistance filled out the appropriate form. He noted the individual providing assistance had to fill out the form for each voter he or she would assist.

Commissioner Diaz questioned where the no campaign radius started at voting locations.

Mr. Sola noted that the Elections Department laid out a diagram of the 100 foot no campaigning radius at every voting site and of the layout of the equipment. He clarified the starting point of the 100 foot radius was dependent on the location. He explained that poll workers had been trained on the 100 foot radius for their specific locations and Elections Department staff could go to any voting site to handle any issues that could arise.

Chairman Barreiro expressed concern that the sample ballot confused voters by including every congressional and legislative race. He suggested the sample ballot be simplified to include only the questions that the voter would see on the official ballot.

16B2

082827

Discussion Item

Bruno A. Barreiro

CDBG FORECLOSURE PROCESS

Deferred to October 21, 2008

Report: Chairman Barreiro noted discussion on the Community Development Block Grant (CDBG) Foreclosure Process would be deferred. He noted, for the record, the County Commission should provide input on the process that would guide the County Administration in using CDBG Block Grant funds on foreclosures.

16B3

082896 Discussion Item

THE IMPACT OF THE FINANCIAL CRISIS ON MIAMI-DADE
COUNTY

Presented

FINAL OFFICIAL

Report: County Attorney Robert Cuevas read the foregoing discussion item into the record.

Chairman Barreiro noted that the condition of the economy in the United States of America was difficult, and that these conditions would be prolonged. He urged the County Administration to ensure all County funds were stored safely.

Commissioner Martinez concurred with Chairman Barreiro. He pointed out some of the banks in the County Manager's August 12, 2008, memorandum regarding the financial health of banking institutions had gone out of business. He asked the County Manager to update the financial health for the banking institutions in his August 12 memorandum.

Chairman Barreiro stressed the importance of County funds being stored in safe accounts.

Ms. Rachel Baum, Director, Finance Department, apprised the Commission that all of the banks used by the County were covered under the Public Depository Act of the Florida State Statutes. She clarified the Public Depository Act provided that all Florida banks supported every other bank if one failed.

Commissioner Gimenez noted the County budget assumed certain revenues from interest returns. He questioned the impact of the existing economic conditions on reduced revenue and on increased expenses, and whether the County would have to recalculate the revenues and expenditures in the Fiscal Year 2008-09 County budget.

County Manager Burgess noted he could provide the Commission with an estimate of the impact of the economy on revenues and expenses. He explained that these estimates would be a snapshot of the moment. He pointed out the objective of County investments was to protect the principle, not maximize the return.

Commissioner Gimenez asked the County Manager to provide him with a report regarding the impact of the financial status of the United States of America on the borrowing capacity of the County for planned and ongoing projects, such as the Port Tunnel project and the Marlins Stadium.

Commissioner Seijas noted she supported sensible economic stimulus packages. She noted the County Commission needed to trust the County Administration during these economic difficulties.

Commissioner Sosa noted she opposed the Legislature cutting revenues to local government programs while refusing to use reserve funds. Commissioner Sosa asked the County Manager to provide the County Commission with regular updates regarding the impact of the financial crisis on the County realizing budgeted revenues, as well as recommended amendments to the FY 2008-09 County budget to account for this impact.

Special Assistant to the County Manager Jennifer Glazer-Moon noted the revenue estimates used to prepare the County budget were very conservative and the County budgeted to spend only 95 percent of the estimated revenues. She explained the County Administration regularly made projections of all County revenues, and the County Administration could update the Commission on the revenue projections.

Responding to County Manager Burgess' comments regarding County investments, Commissioner Sosa asked the County Manager to include in the report on County revenues a section reporting the County's interest earnings on investments versus the budgeted interest earnings.

Discussion ensued between Commissioner Sosa and County Manager Burgess regarding the status of investments for employee retirement funds and the availability of financial counseling to employees.

Commissioner Martinez suggested County Manager Burgess provide each Commissioner with copies of his memoranda dated December 3, 2007, and December 26, 2007, regarding the Florida State Board of Administration and his subsequent follow up memoranda dated March 4, 2008, and June 10, 2008, for reference and comparison to future memoranda.

Following discussion between Commissioner Diaz and Ms. Baum regarding the County bank accounts with Wachovia, Commissioner Gimenez questioned whether the County's contribution to the Florida Retirement System (FRS) was variable based on FRS's return on investments.

Ms. Baum explained the Legislature established the contribution rate annually. She pointed out FRS had \$9 billion more revenue than its actuarial computed benefit of liability.

Chairman Barreiro questioned whether the County Administration had the necessary flexibility to respond to financial emergencies.

County Manager Burgess noted the County Administration would do whatever needed to be done in an emergency and present its actions for ratification.

17 COMMUNITY REDEVELOPMENT AGENCY AGENDA

17A1

082783 Resolution

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY
APPROVING THE WEST PERRINE COMMUNITY
REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR
2008-09 (Office of Strategic Business Management)

Deferred to October 21, 2008

18 RATIFICATION

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18A1

082518 Resolution

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTION OF EXECUTING AN INTERLOCAL AGREEMENT WITH THE CITY OF HOMESTEAD AND MIAMI-DADE COUNTY FOR FEDERAL FUNDING PASS-THROUGH ARRANGEMENTS FROM FEDERAL TRANSIT ADMINISTRATION FISCAL YEAR 2006 FUNDS OF \$495,000 FOR PURCHASE OF TROLLEYS AND FOR THE PROVISION OF CITY TROLLEY SERVICES IN THE CITY OF HOMESTEAD; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

*Adopted
Resolution R-1104-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/10/2008 Forwarded to BCC with a favorable recommendation from the Transit Committee

18A2

082429 Resolution

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTION OF THE EXECUTION BY THE MAYOR OR HIS DESIGNEE OF A NATURAL GAS TRANSPORTATION SERVICE AGREEMENT BETWEEN FLORIDA CITY GAS AND MIAMI-DADE COUNTY AND TO EXERCISE THE CANCELLATION AND RENEWAL PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

*Adopted
Resolution R-1105-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

18A3

082430 Resolution

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTION OF THE EXECUTION BY THE MAYOR OR HIS DESIGNEE OF THE FIRST AMENDMENT TO A NATURAL GAS TRANSPORTATION SERVICE AGREEMENT BETWEEN FLORIDA CITY GAS AND MIAMI-DADE COUNTY AND TO EXERCISE THE CANCELLATION AND RENEWAL PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

*Adopted
Resolution R-1106-08
Mover: Rebeca Sosa
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

9/9/2008 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

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Board of County Commissioners

Meeting Minutes

Tuesday, October 7, 2008

091008

Report

NON AGENDA ITEMS

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Report: Commissioner Rolle requested Assistant County Manager Ysela Llorc provide the Commission with information regarding the instruction to program management consultants for Miami-Dade Transit Agency (MDT) programs to cease work by October 10, 2008.

Assistant County Manager Llorc explained MDT intended to float a bond for the Miami Intermodal Center (MIC)/Earlington Heights Connector, however, the current bond market and the funding gap in the MDT pro forma have prevented MDT from floating a bond. She noted MDT was updating the pro forma to reflect the MDT fare and parking increases. Assistant County Manager Llorc noted MDT was facing a cash flow issue and MDT was evaluating expenditures, slowing down work, and evaluating how to maintain necessary items.

Commissioner Rolle expressed concern regarding MDT slowing down work. He noted the County was not supposed to make any decisions regarding MDT until after the Transit Summit on November 15, 2008. He expressed concern that the Commission was not apprised, for a second time, that stop orders were issued for MDT.

Responding to Commissioner Rolle's inquiry regarding the extent of the bond issue impacting County departments, Assistant County Manager Llorc explained the bond issue was limited to the MIC/Earlington Heights bond. She clarified the County Administration wanted to ensure MDT had funds available for every expense.

Commissioner Rolle explained MDT had stated it had funds to last through October 2008. He expressed concern that October 31 was still distant and MDT had laid off personnel twice.

In response to Commissioner Jordan's inquiry regarding the last MDT bond issuance, Ms. Rachel Baum, Director, Finance Department, noted the last bond was issued in June or July 2008. She explained the rating agencies expressed concern that the Commission had not adopted the plans in the proposed pro forma when the last bonds were issued. She noted the rating agencies needed to see a financing plan for MDT adopted by the Commission.

Commissioner Jordan expressed concern that the Federal Transit Administration (FTA) would think the County was no longer committed to building the Orange Line.

Assistant County Manager Llorc noted MDT had \$900,000 available and critical items were moving forward, however, the \$900,000 would not cover all the MDT activities. The program management consultant (PMC) contract would need to be supplemented, she explained. She noted the County had sent all the information for the Orange Line to FTA and the County was addressing FTA's questions. Assistant County Manager Llorc explained the rating agency concerns were different than FTA's questions.

Responding to Commissioner Jordan's inquiry regarding the work that would be done Monday, October 13, 2008, Assistant County Manager Llorc noted work would continue. She explained the County Administration was preparing an item that would request funds to supplement the program management consultant's contract.

Commissioner Rolle clarified that he was concerned that MDT staff responsible for the day-to-day operations of MDT provided a specific dollar

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amount that the department needed to continue operations until October 31, 2008; that MDT staff reduced the dollar amount by \$2 million because escrow funds could be accessed; and that the County Administration made two separate orders to stop work on MDT projects after the Commission was told MDT would have enough funds. He stressed the County Commission should be apprised of these situations.

Commissioner Edmonson questioned whether MDT staff intentionally misinformed her regarding the amount of funds needed to continue operations through October 30, 2008, or MDT staff was passing along misinformation.

County Manager Burgess noted the County Administration was preparing an item for the October 15, 2008, Transit Committee meeting that would extend the contract between the County and the PMC. He explained the proposed PMC contract would bring some activities in-house, and the PMC would provide engineering assistance on the MIC/Earlington Heights Connector, and technical assistance on the technical elements of the Orange Line. County Manager Burgess noted work would not stop.

In response to Commissioner Heyman's inquiry regarding the funding source for the PMC, County Manager Burgess noted the funding source was People's Transportation Plan (PTP) funds.

Discussion ensued among Commissioner Rolle, County Manager Burgess, and Mr. Harpal Kapoor, Director, MDT, on the work that would continue on MDT projects after October 10, 2008, notwithstanding two letters had been issued ordering work to be stopped on MDT projects.

Commissioner Jordan asked the MDT Director to provide detailed information at the Transit Summit regarding the initial startup costs and the operations and maintenance costs over 30 years for the use of heavy rail, light rail, and bus rapid transit in MDT expansion projects. She also asked that the agenda for the Transit Summit include discussion regarding the alignment of the east-west corridor.

Commissioner Moss noted MDT should not stop work on the Orange Line until after the Transit Summit.

Following further discussion between Commissioner Rolle and County Manager Burgess regarding the authority of the MDT Director and Assistant Director to stop work on MDT projects, Mr. Kapoor explained MDT could not move forward with the Orange Line until FTA provided its next rating of the project; therefore, MDT was working with the PMC on a case-by-case basis.

Discussion ensued between Commissioner Sorenson and Mr. Kapoor regarding the costs and the efficiency of rail versus bus rapid transit.

Responding to Commissioner Edmonson's request for clarification on MDT being unable to move forward with the Orange Line, Mr. Kapoor clarified the County would risk losing federal funds if it continued with the design of the Orange Line before the County received FTA approval.

Commissioner Souto asked the County Manager to determine the status of his \$5,000 donation to the Miami-Dade Police Department Trust Fund in honor of Officer Jose Somohano.

At 6:39 p.m., it was moved by Commissioner Diaz that the Commission waive

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Board of County Commissioners

Meeting Minutes

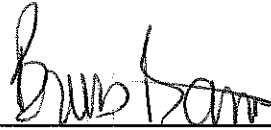
Tuesday, October 7, 2008

Rule 3.01.(a) of the Commission's Rules of Procedure to allow this County Commission meeting to extend beyond 6:30 p.m. This motion was seconded by Commissioner Heyman and upon being put to a vote, passed by a vote of 12-0 (Commissioner Moss was absent).

19

ADJOURNMENT

Report: *There being no other business to come before the Commission, the meeting adjourned at 8:10 p.m.*



Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk